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LABOUR SUPPLY AND REGULATION

BY

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EDITOR'S PREFACE

IN the autumn of 1914, when the scientific study of the effects of war upon modern life passed suddenly from theory to history, the Division of Economics and History of the Carnegie Endowment for International Peace proposed to adjust the programme of its researches to the new and altered problems which the War presented. The existing programme, which had been prepared as the result of a conference of economists held at Berne in 1911, and which dealt with the facts then at hand, had just begun to show the quality of its contributions; but for many reasons it could no longer be followed out. A plan was therefore drawn up at the request of the Director of the Division, in which it was proposed by means of an historical survey, to attempt to measure the economic cost of the War and the displacement which it was causing in the processes of civilization. Such an 'Economic and Social History of the World War', it was felt, if undertaken by men of judicial temper and adequate training, might ultimately, by reason of its scientific obligations to truth, furnish data for the forming of sound public opinion, and thus contribute fundamentally toward the aims of an institution dedicated to the cause of international peace.

The need for such an analysis, conceived and executed in the spirit of historical research, was increasingly obvious as the War developed, releasing complex forces of national life not only for the vast process of destruction but also for the stimulation of new capacities for production. This new economic activity, which under normal conditions of peace might have been a gain to society, and the surprising capacity exhibited by the belligerent nations for enduring long and increasing loss—often while presenting the outward semblance of new prosperity—made necessary a reconsideration of the whole field of war economics. A double obligation was therefore placed upon the Division of Economics and History. It was obliged to concentrate its work upon the

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problem thus presented, and to study it as a whole ; in other words, to apply to it the tests and disciplines of history. Just as the War itself was a single event, though penetrating by seemingly unconnected ways to the remotest parts of the world, so the analysis of it must be developed according to a plan at once all-embracing and yet adjustable to the practical limits of the available data.

During the actual progress of the War, however, the execution of this plan for a scientific and objective study of war economics proved impossible in any large and authoritative way. Incidental studies and surveys of portions of the field could be made and were made under the direction of the Division, but it was impossible to undertake a general history for obvious reasons. In the first place, an authoritative statement of the resources of belligerents bore directly on the conduct of armies in the field. The result was to remove as far as possible from scrutiny those data of the economic life of the countries at war which would ordinarily, in time of peace, be readily available for investigation. In addition to this difficulty of consulting documents, collaborators competent to deal with them were for the most part called into national service in the belligerent countries and so were unavailable for research. The plan for a war history was therefore postponed until conditions should arise which would make possible not only access to essential documents but also the co-operation of economists, historians, and men of affairs in the nations chiefly concerned, whose joint work would not be misunderstood either in purpose or in content.

Upon the termination of the War the Endowment once more took up the original plan, and it was found with but slight modification to be applicable to the situation. Work was begun in the summer and autumn of 1919. In the first place a final conference of the Advisory Board of Economists of the Division of Economics and History was held in Paris, which limited itself to planning a series of short preliminary surveys of special fields. Since, however, the purely preliminary character of such studies was further emphasized by the fact that they were

directed more especially towards those problems which were then fronting Europe as questions of urgency, it was considered best not to treat them as part of the general survey but rather as of contemporary value in the period of war settlement. It was clear that not only could no general programme be laid down *a priori* by this conference as a whole, but that a new and more highly specialized research organization than that already existing would be needed to undertake the Economic and Social History of the War, one based more upon national grounds in the first instance and less upon purely international co-operation. Until the facts of national history could be ascertained, it would be impossible to proceed with comparative analysis ; and the different national histories were themselves of almost baffling intricacy and variety. Consequently the former European Committee of Research was dissolved, and in its place it was decided to erect an Editorial Board in each of the larger countries and to nominate special editors in the smaller ones, who should concentrate, for the present at least, upon their own economic and social war history.

The nomination of these boards by the General Editor was the first step taken in every country where the work has begun. And if any justification was needed for the plan of the Endowment, it at once may be found in the lists of those, distinguished in scholarship or in public affairs, who have accepted the responsibility of editorship. This responsibility is by no means light, involving, as it does, the adaptation of the general editorial plan to the varying demands of national circumstances or methods of work ; and the measure of success attained is due to the generous and earnest co-operation of those in charge in each country.

Once the editorial organization was established there could be little doubt as to the first step which should be taken in each instance toward the actual preparation of the history. Without documents there can be no history. The essential records of the War, local as well as central, have therefore to be preserved and to be made available for research in so far as is compatible with public interest. But this archival task is a very great one, belonging of right to the governments and other owners of historical sources

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and not to the historian or economist who proposes to use them. It is an obligation of ownership ; for all such documents are public trust. The collaborators on this section of the war history, therefore, working within their own field as researchers, could only survey the situation as they found it and report their findings in the form of guides or manuals ; and perhaps, by stimulating a comparison of methods, help to further the adoption of those found to be most practical. In every country, therefore, this was the point of departure for actual work ; although special monographs have not been written in every instance.

This first stage of the work upon the war history, dealing with little more than the externals of archives, seemed for a while to exhaust the possibilities of research. And had the plan of the history been limited to research based upon official documents, little more could have been done, for once documents have been labelled 'secret' few government officials can be found with sufficient courage or initiative to break open the seal. Thus vast masses of source material essential for the historian were effectively placed beyond his reach, although much of it was quite harmless from any point of view. While war conditions thus continued to hamper research, and were likely to do so for many years to come, some alternative had to be found.

Fortunately such an alternative was at hand in the narrative, amply supported by documentary evidence, of those who had played some part in the conduct of affairs during the war, or who, as close observers in privileged positions, were able to record from first or at least second-hand knowledge the economic history of different phases of the great war, and of its effect upon society. Thus a series of monographs was planned consisting for the most part of unofficial yet authoritative statements, descriptive or historical, which may best be described as about half-way between memoirs and blue-books. These monographs make up the main body of the work assigned so far. They are not limited to contemporary war-time studies ; for the economic history of the war must deal with a longer period than that of the actual fighting. It must cover the years of 'deflation' as well, at least sufficiently

to secure some fairer measure of the economic displacement than is possible in purely contemporary judgements.

With this phase of the work, the editorial problems assumed a new aspect. The series of monographs had to be planned primarily with regard to the availability of contributors, rather than of source material as in the case of most histories ; for the contributors themselves controlled the sources. This in turn involved a new attitude towards those two ideals which historians have sought to emphasize, consistency and objectivity. In order to bring out the chief contribution of each writer it was impossible to keep within narrowly logical outlines ; facts would have to be repeated in different settings and seen from different angles, and sections included which do not lie within the strict limits of history ; and absolute objectivity could not be obtained in every part. Under the stress of controversy or apology, partial views would here and there find their expression. But these views are in some instances an intrinsic part of the history itself, contemporary measurements of facts as significant as the facts with which they deal. Moreover, the work as a whole is planned to furnish its own corrective ; and where it does not, others will.

In addition to this monographic treatment of source material, a number of studies by specialists is already in preparation, dealing with technical or limited subjects, historical or statistical. These monographs also partake to some extent of the nature of first-hand material, registering as they do the data of history close enough to the source to permit verification in ways impossible later. But they also belong to that constructive process by which history passes from analysis to synthesis. The process is a long and difficult one, however, and work upon it has only just begun. To quote an apt characterization, in the first stages of a history like this one is only 'picking cotton'. The tangled threads of events have still to be woven into the pattern of history ; and for this creative and constructive work different plans and organizations may be needed.

In a work which is the product of so complex and varied co-operation as this, it is impossible to indicate in any but

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a most general way the apportionment of responsibility of editors and authors for the contents of the different monographs. For the plan of the History as a whole and its effective execution the General Editor is responsible ; but the arrangement of the detailed programmes of study has been largely the work of the different Editorial Boards and divisional Editors, who have also read the manuscripts prepared under their direction. The acceptance of a monograph in this series, however, does not commit the editors to the opinions or conclusions of the authors. Like other editors, they are asked to vouch for the scientific merit, the appropriateness and usefulness of the volumes admitted to the series ; but the authors are naturally free to make their individual contributions in their own way. In like manner the publication of the monographs does not commit the Endowment to agreement with any specific conclusions which may be expressed therein. The responsibility of the Endowment is to History itself—an obligation not to avoid but to secure and preserve variant narratives and points of view, in so far as they are essential for the understanding of the War as a whole.

J. T. S.

PREFACE

I HAVE deliberately sought to make this book impersonal and uncontroversial. I have attempted to leave the plain facts to speak for themselves, and I have tried to arrange them without bias, or without imposing upon them (so far as I could avoid it) any preconceived point of view. I have restricted comment to a point which may even lay me open to the accusation that I was unable to draw the obvious inferences from the events which I described. I had rather face that accusation than attempt to reach conclusions that could not but be tempered and twisted by the heat of events so recent.

But the price of impersonality has been that I have been unable to indicate the share in moulding these events taken by individuals. To ignore these entirely would be not merely ungracious, but would leave an actual lacuna. I shall not refer to what was done by Ministers. This is known, and is chronicled elsewhere. But the services of some servants of the State I will, if I may, mention.

First in the list must come Sir Hubert Llewellyn Smith and Sir William Beveridge, the first General and Assistant General Secretary of the Ministry of Munitions, who were the joint authors of the Munitions Code. With them must be joined Mr. C. F. Rey, to whose energy the War Munitions Volunteer Scheme owed its first impetus. Following them comes Sir Stephenson Kent, upon whom the whole burden of carrying the Labour Departments of the Ministry fell during the later years of the War, first as Director General of Munitions Labour Supply, then as Member of the Munitions Council, and finally as Controller-General of Civil

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Demobilization and Resettlement. With him must be bracketed Sir Thomas Munro, first as Chief Labour Adviser through the same period, and finally Member of the Munitions Council. Sir Lynden Macassey was another outstanding figure, first in the Joint Committee of Inquiry with Lord Balfour of Burleigh, as Chairman of the Clyde Dilution Commission, as Chairman of the Special Arbitration Tribunals and finally as Director of the Shipyard Labour Department. Nor must Sir John Miles be forgotten, who brought more than his profound knowledge of law to the completion of the common task. If other names of those who rendered service, devoted and unremitting, are not mentioned, it is because it would be almost impossible to mention any without mentioning all.

At the same time, I must record my profound indebtedness to the Editor and the authors of the labour part of the history of the Ministry of Munitions; and finally, I desire to take this opportunity of expressing my gratitude to Owen Hugh Smith, Esq., once Assistant General Secretary, Ministry of Munitions, without whose help the book could never have been written.

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LABOUR SUPPLY AND REGULATION

PART I. INTRODUCTORY

CHAPTER I INTRODUCTION

THE labour problem for a State compelled to throw the whole of its resources into the conduct of a war is, in the phrase that gained currency during the late war, the problem of man-power. The effort that can be exerted by any State is automatically restricted or extended first by the numbers of men and women available either for the services in the field or at home, and secondly by the use, ordered or disorderly, that is made of those services. Apart, therefore, from the skill of commanders by land or sea, the diplomatic resources of statesmen, the valour and resolution of the Forces, there is no single factor in a modern war which contributes so much to defeat or victory as the failure or success in handling the man-power problem, which, if the war is prolonged, is ultimately the problem of making one man or woman do the work of one and a quarter or even of one and a half.

The State must dispose its man-power so as to serve all the four following needs simultaneously and as fully as possible :

1. A sufficient supply of men, of whatever military age be decreed, physically fit for fighting, must be provided to supply and replenish the Forces.
2. The larger the combatant forces the greater will be the number of men and women required at home to equip, clothe, and feed the Forces.
3. While the normal ranks of industry will be heavily drained for these two purposes, it will be imperative to provide the labour which will guarantee the provision of the necessities for the civilian population, i. e. food, heat, light, clothes, transport, &c.
4. Finally, as the war continues, the strain on the financial resources of the country, and particularly upon its

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international credit, will grow heavier, and it will therefore be necessary to provide labour to keep the export trades of the country working at the highest point compatible with the fulfilment of the first three calls.

It may be stated almost as a truism that what is normally regarded as the man-power of a nation for industrial purposes would be stretched if called upon to supply the labour only for the last three purposes. In a war (if such a one can be imagined) where one Ally acted only as a supplying agent, and not as a combatant, its man-power problem would still be serious, because the total production required by the needs of a war on the scale of the late war, owing to its variety and urgency, of itself probably makes a heavier demand than the whole of peace-time production. When, as in the case of the United Kingdom, the first call claims throughout the war a number of men not appreciably less than 5,500,000 out of an estimated total male population, at July 1914, of 14,350,000, it will not be difficult to realize how tremendous will be the strain upon the remaining population to fulfil the other three needs, and how difficult will be the duty of any Government in disposing it for the task. When the problem is further complicated by the interruption, through blockade, whether by surface or submarine vessels or by military siege, of the normal sources of supply of raw material, manufactured goods, and, above all, of food, and the nation is required to provide substitutes, as far as practicable, from its own resources, the difficulty becomes so great as to appear insoluble. Yet it was precisely this problem that the United Kingdom was called upon to solve, and this book is an account of the way in which the solution was achieved.

The ideal method of solving the problem, as it would be conceived apart from the actual facts of each nation's situation, would be first to decide the proportion to be allocated respectively as between the combatant forces and the civilian workers; then to augment the available workers by bringing in new recruits from at home or abroad; then to distribute the civilian workers so augmented, according to the respective urgency of the claims of each service, to munitions, the supply of necessities of life, and the maintenance of the export trade; then to secure the utmost

production from the workers by forbidding stoppages of work, by removing any circumstances which might tend to restrict output on work thus rendered continuous, by requiring the longest hours and the most efficient work during those hours compatible with health, by requiring workers to go where they were required, when they were required, and to stay there as long as they were required. That is the ideal attainable in the absolute form only in the words of Aristotle when the material to be handled is not man but $\eta\theta\gamma\rho\iota\sigma\nu\ \eta\theta\epsilon\sigma\varsigma$. In the normal world a thousand disturbing factors have to be taken into account, of which a few are the unwillingness of the nation to submit to absolute discipline : the unreadiness of the authorities to handle the nation even if it is prepared to exhibit such unexampled docility : the impossibility of estimating, during the astonishments of war, what at any moment will be the degree of importance to be attached to each or all of the four dominant demands upon man-power : and the incredible complexity of modern industry, which will not lend itself to any clean and simple divisions without suffering decay of the whole organism, any more than will any other living body.

But though this ideal is unattainable, it must be pursued. It implies for its achievement a central State machine fully equipped with experience, exact knowledge, and power. Chapter II of this book explains that no such machine existed in the United Kingdom at the outbreak of war, but that, on the contrary, there were three Departments charged with labour policy—the Local Government Board, the Home Office, and the Board of Trade—who had little control over or relation with the recruiting Departments of the War Office and the Admiralty. The gradual creation of an authority, never fully equipped and approximating very distantly to the ideal, is described in later chapters in its development, through the Man-Power Board, the Ministry of Munitions, the Department of the Director General of National Service, to belated and incomplete culmination in August 1917 in the Ministry of National Service.

The allocation of man-power as between the fighting forces and the home factories for munitions production is discussed in Chapter III. A description is given there of how, in the first war enthusiasm, irreparable gaps were made in the skilled producing

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power of the country by an indiscriminate system of voluntary recruiting. In Chapter IV an account is given of the steps taken by badging and other devices to draw a ring round the labour required for civilian purposes. The account shows that by the end of 1915—18 months after the commencement of the War—the first blind rush to the Colours was stemmed. With some proportion now fixed or in process of being fixed between fighters and workers, it became possible to consider the best use that could be made of the labour available for civilian production. Chapter V describes how it was decided to spread the manufacture of munitions all over the country in place of the earlier alternative of attempting to concentrate it upon a limited number of centres. It describes also the Employment Exchange machine which was available for finding the men required, if they existed, and for placing them where they were needed, if they were willing to go. With the proportion settled between the Forces and the workers, and the method of distribution of the work decided, the problem to be faced was how to increase, if possible, the net supply. The actual net deficiency, it will be shown, was not more, when all new sources of supply are taken into account, than 900,000 (or without the influx of women, 2,500,000). Chapter VI indicates the various steps taken to increase the supply by bringing in workmen from abroad and from the Dominions, by the release of men from the Colours either on direct application or through invalidism, by the introduction of women in huge numbers, and by other methods such as the use of enemy alien prisoners for agricultural work. When all this had been accomplished (which is the question of labour supply) there still remained a huge deficit not merely in numbers but still more in quality. For those who had gone to the Colours were in many cases the most skilled and the strongest, and no substitution could replace their skill, their experience, or their physical strength. The next question then is one of Labour Regulation, i.e. the intensive use of the available labour with a view to filling the deficiency, by requiring more of each individual. Chapter VII describes the Munitions of War Act, 1915—called in this book the Munitions Code—and indicates how that Act laid down the broad lines upon which labour, rationed between the fighters and the workers, distributed

and augmented, was to be used to the fullest extent (1) by making work continuous, (2) by breaking down restrictions on output, (3) by requiring the longest hours compatible with health (and no longer), (4) by calling for the maximum output during those hours, partly by disciplinary provision and partly by improvement of working conditions, (5) by taking workers where and when they were required and keeping them there, and finally (6) by attempting to solve, or at any rate control, the wages problems which lay at the base of the whole structure. Each of the succeeding chapters deals with the action taken in respect of one of these points. Chapter VIII describes how it was sought to make work continuous by prohibiting strikes and lock-outs and providing for a system of compulsory arbitration, and details the successes and failures of the attempt. Chapter IX describes how, as a result of continuous negotiation, the Trade Unions agreed to forgo their practices, which, designed to safeguard the employment of their members, could during war time be regarded as restricting production, and how, as the result of that agreement and its subsequent statutory enactment, dilution, i. e. the introduction of semi-skilled and unskilled men and women upon skilled men's work, became possible and was widely carried out. Chapter X describes how, in certain establishments where the profits were limited, known as 'Controlled Establishments', the workmen's hours and efficiency at work were controlled subject to legal penalties for indiscipline, and how as an adjunct or alternative to these penal powers special attention was paid to the welfare of the workers. Chapter XI describes how various mobile corps, such as the War Munitions Volunteers, were enrolled, who placed themselves at the disposal of the Government to be moved where their work was at any moment most required. Chapter XII describes how men, brought to the place where they were required, were kept there by various provisions, chief of which was section 7 of the Munitions of War Act, 1915, which provided, under pain of six weeks' unemployment, that no man could leave his employment without a certificate of consent from his employer. Chapters XIII and XIV describe the attempts made to deal with the wages problem as it affected men and women respectively, and indicate that this problem was in fact a condition precedent to the handling of all the others.

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Finally, Chapter XV gives a brief account of some of the steps taken to meet the labour difficulties of the transition period from war to peace.

One consideration remains to be added. These points have been detailed above as though they followed one another in chronological order, and as though each problem were attacked when its predecessor had been solved. The matter has only been set out in this way in order to attempt to present the various problems distinctly. In fact the greatest difficulty of all during the War was that each problem tended to provoke a new one, which had to be faced side by side with the other as yet unsolved.

CHAPTER II

THE STATE MACHINE BEFORE THE WAR

THE history of labour supply and regulation during the War is largely the history of a gigantic improvisation under the aegis of a newly-created State machine. In order to realize the magnitude both of the problem and the changes in State organization required to meet it, some description is necessary of the machine in existence for handling labour questions before the War.

To the careful observer, the outstanding fact with regard to this question in pre-war time is the absence of any single authority either charged with the administration of the Government labour code or with any general supervision of that code. The Government impinged upon the labour problem from two distinct points of view. In the first place it represented the general conscience of the community in the matter of social reforms intended to elevate and improve the life of the workman. On the other hand, it appeared as a direct employer of labour in such branches of activity as the production of guns, rifles, and shells at Woolwich Arsenal and Enfield, and of warships at the dockyards. Under the first head the Government had assumed an increasingly heavy burden from the days when the Factory Acts indicated a definite break with the theory of *laissez faire*. From that time forward, and with increasing intensity during the early years of the present century, the Government found itself called upon to interfere with the normal relations of employers and employed and to a certain extent with the management of businesses. The Acts passed to meet the changing needs of the time were not necessarily passed by the same Government and were not necessarily part of one general scheme. It was not surprising, therefore, that different Departments were charged with the administration of various parts of the code often rather by accident than by design.

It happened accordingly that there were three Departments all vitally interested in labour questions and not necessarily working in close accord, except so far as the ministerial heads

were members of the Cabinet and in consequence actuated by a common policy. The three Departments in question were the Local Government Board (now the Ministry of Health), the Home Office, and the Board of Trade. The Local Government Board was charged with the administration of the Poor Law, that is to say, the care of workers who had permanently or temporarily ceased to be units in the industrial army. The theory upon which the Poor Law of the United Kingdom rests is that every citizen is entitled as of right to subsistence. The methods by which, and the conditions under which, subsistence should be granted had formed the subject of controversy and inquiry for nearly a century. The system, however (which is still in existence), was roughly a combination of workhouse and outdoor relief administered by local Boards of Guardians under the general superintendence of the Local Government Board at head-quarters. The need for correlating the measures necessary to deal with the case of the pauper and the unemployed worker had not been officially recognized by statute, although it had long been canvassed by social reformers. In 1909, however, a Commission upon the Poor Law was appointed. There were two reports, which represented a widely divergent view. Both reports, however, agreed in recognizing that the separateness in the above respect which had marked the treatment of the two problems should no longer continue. The Minority Report, indeed, laid it down quite clearly that there were two main functions connected with the care of persons who had previously come under the Poor Law régime. The first related to their health and the second to their employment. Their view was that the first should be administered by a Ministry of Health and through local Health Authorities, and the second should be administered through a Ministry of Labour, which would carry on the administration in close association with a system of Employment Exchanges. Though both reports were much discussed, the Government did not find themselves able to introduce legislation to give effect to either, and therefore, when the War broke out the Poor Law, very much on the same lines, was still under the general control, so far as it was administered from head-quarters, of the Local Government Board. Indeed, so far from any advance having been made in the direction of unification of functions,

a further authority—the National Health Insurance Commission—was brought into existence by the Insurance Act of 1911.

The second main labour authority was the Home Office. This Department had originally been entrusted with the administration of the Factory Acts, probably on the general ground that the Home Office was in essence the Ministry of the Interior and was, therefore, a suitable Department to deal with matters affecting the lives of the people. At any rate, whatever the reason for entrusting this Department with the powers, the Home Office proceeded to develop a very efficient machine which rapidly had become a recognized part of the industrial life of the country. The Home Office Inspector was known in all factories, and to this extent the Home Office was generally recognized as the Department dealing with industrial questions. Functions allied to these were added to the Home Office in connexion with the superintendence of safety and hours of women and young persons in factories. The Department became responsible for the supervision of industrial diseases and for the regulation in respect of the manufacture of explosives. In addition the Home Office became the authority for securing safety in mines, and a body of inspectors was appointed to carry out this work. This Department, as distinct from the other branches of the Home Office engaged in labour questions, developed a tendency to be consulted by both sides on a number of industrial questions that did not necessarily arise upon considerations of safety. This was so much the case that later, when the national coal strikes took place, the parties looked to the Home Office, in the first instance, as the Government machine with which they preferred to deal.

With the advent of a Liberal Government to power in 1906, and the rapid increase of social legislation, new duties were cast upon the Department. They were successively required to take charge of the Workmen's Compensation Act, the Shops Act, and the Employment of Children Acts. In this way the Home Office had, in fact, assumed control of a considerable part of the labour code of the Government, and it might perhaps not have been unreasonable to suppose that it would ultimately develop into the single and supreme labour authority.

Events, however, did not move in this direction. Side by side

with the Home Office there had grown up in the Board of Trade a rival labour authority of at least equal importance. Step by step the Board of Trade had gone deeper and deeper into the sphere of industrial affairs. Through its Marine Department it had become responsible for the treatment of sailors so far as this was regulated by the Merchant Shipping Acts, and in any question arising between the sailors' Unions and the shipowners, in which the Government were concerned, the Board of Trade was the authority with whom the matter was discussed. Through their Railway Department again, the Board of Trade had entered into close relations with the management of the various railways, and the broad labour questions arising in the railway world came naturally for consideration to the Board of Trade. These two Departments, however, dealt with labour only as an incidental part of their general administration. There remained three other Departments solely devoted to handling labour problems.

The first of these Departments was that of the Chief Industrial Commission. That Department came into existence when the growing industrial unrest began to force upon public attention the question whether strikes and lock-outs could be permitted to interfere with national security without Government intervention. Up to the date of the creation of this Department the only statute dealing with conciliation and arbitration was the Conciliation Act of 1896, which merely provided for the possibility of conciliation and arbitration. In the Industrial Commissioner's Department a more ambitious policy had been attempted. A Joint Commission, consisting of the principal leaders of industry on both sides, had been constituted under the Chairmanship of Sir George Askwith. It was hoped that this Commission would help to solve the many industrial difficulties which were arising by acting as conciliators.

The second Department concerned with labour was the Department of Labour Statistics, which, as its name implied, existed to collect information about wages, Trade Union developments, the Co-operative movement, and similar labour questions of general interest and importance.

Finally, there was the Labour Exchanges Department which began as a branch of the main Labour Department to administer

the Labour Exchanges Act of 1908. When the Insurance Act of 1911 was passed, Part II provided a system of unemployment insurance for a limited number of trades. The essential underlying feature of unemployment insurance was that benefit would only be payable to insured persons if they were willing and unable to find suitable employment. The only test of such willingness and inability was provided by the Labour Exchange, and accordingly the administration of Part II of the new Act was added to the duties of the Labour Exchanges Department, which thereupon became a separate Department of the Board of Trade.

It will be seen, therefore, that there were three main authorities, each of which had considerable labour responsibilities, but at the outbreak of war their relationship in the matter of the general Government labour policy had not been settled. Nor had the relationship of any of them to the Departments which acted as direct employers of labour been laid down. The only central piece of machinery in labour matters that existed, operated by the Labour Departments and applicable to the employing Departments, was a joint committee known as the Fair Wages Committee, which administered the Fair Wages Clause in Government contracts. This clause was based upon a resolution passed in the House of Commons that no Government contract should be placed with an employer who did not pay the standard district rate of wages, or in the absence of such a standard rate, the rate normally paid in the district by a good employer. In so far as this Committee decided what were the district rates and what was, in fact, a good employer, some central settlement of a minor wages problem was achieved. But on the whole the Admiralty and the War Office, as the great employing Departments, were under little control except the general control of the Treasury and of the Cabinet. The Admiralty had a separate Department, under the Director of Dockyards, which dealt with labour questions arising in dockyards. In effect this Department had established a very satisfactory relationship with the various Unions concerned, but the conditions in the dockyards were widely different from those obtaining generally in the shipyard trades outside. The War Office again dealt separately with the problems arising at Woolwich Arsenal and Enfield Small Arms Factory.

In matters of general labour policy, questions were decided not by reference to the Board of Trade or the Home Office, but by decision of the Army Council. For example, in a vexed question like that of the recognition of a shop stewards' Committee, which was destined to play a very considerable part in the War, the War Office had in fact decided the matter, so far as Woolwich Arsenal was concerned, by negotiating with a committee of that character in the Arsenal.

The various sets of authorities carried out their respective duties during peace without much difficulty, but in the absence of close relations there had been no joint study of the question what effect general recruiting would have upon the trade of the country. No Department had envisaged the possibility of a war of such dimensions that recruiting would become a first-class industrial question. No scheme had accordingly been prepared which attempted to settle the order in which men should be withdrawn from industry. Indeed, the only schemes of co-operation which existed before the War between the two sets of Departments were two schemes concluded between the Employment Exchanges and the Admiralty and the War Office respectively for supplying the labour required on mobilization in the dockyards and at the centres from which the Expeditionary Force would have to be dispatched for service overseas.

In the Local Government Board, the Home Office, and the Board of Trade, the Government possessed a considerable body of skill and experience in labour matters, and therefore the raw material of a single central authority for dealing with labour during war time did, in fact, exist. But it will be appreciated from the foregoing account that the material was in a very raw state, and that the task before the Government in consequence, when war necessities demanded such a labour authority, was rendered doubly difficult.

PART II. LABOUR SUPPLY

CHAPTER III

RECRUITING AND INDUSTRY

THE first problem before the United Kingdom in August 1914, after the Navy had been mobilized and the Expeditionary Force had been dispatched, was to raise armies. Great Britain, with traditions of war in which her land forces, even if adding a decisive weight to the onset of her Allies, had always been numerically small, depended upon a small Expeditionary Force and upon her Fleet. Mons, Charleroi, the Retreat on Paris, and the engagements on the Aisne, made it clear that Britain must forget that she was an island power. Her frontiers were no longer, as her sea-captains in other wars had declared, her enemy's coast-line, but a land-line—a sparsely-held, bitterly pressed line in the heart of the country of her nearest Ally. Great Britain, that had thought of armies in thousands, had suddenly not only to think of, but to constitute, them in hundreds of thousands.

It is doubtful if at this point compulsion for military service was seriously considered. It is certain that, if the only question involved was that of obtaining the required recruits quickly, it was unnecessary to consider the problem seriously. When the appeals for the first 100,000 went up, the difficulty was not to find 100,000 but to choose the most suitable. The first rush was universal. All classes, and what, from the point of view of what follows, was even more important, all types of industry gave equally. The nation as a whole set a gigantic seal of approval upon the action of the Government.

But the price paid was high. The industries vital to munitions production may perhaps be stated in the following order, though the order constantly shifted with the varying requirements of war :

- Coal and other mines.
- Iron and Steel.

Engineering.

Electrical Engineering.

Shipbuilding.

Small Arms.

Chemicals and Explosives.

Other Metals (smelting, rolling, and working).

Cycle and Motor Carriage, and Wagon Building.

Wire-drawing, Anchor-chain, &c.,

and next in order, since the rules of war treat soldiers without uniform as franc-tireurs,

Woollen and Worsted.

By July 1915 the Board of Trade 'Report on the State of Employment in the United Kingdom' shows that these industries had lost the following percentages of the total *occupied male population* employed in each trade :

Coal, &c.	.	.	.	.	21.8
Iron and Steel	.	.	.	.	18.8
Engineering	.	.	.	.	19.5
Electrical Engineering	.	.	.	.	23.7
Shipbuilding	.	.	.	.	16.5
Small Arms	.	.	.	.	16.0
Chemicals and Explosives	.	.	.	.	23.8
Other Metals	.	.	.	.	20.8
Cycle, &c.	.	.	.	.	22.3
Wire-drawing, &c.	.	.	.	.	19.7
Woollen and Worsted	.	.	.	.	12.5

It is of course true that each of these industries was receiving large reinforcements from trades not at first directly engaged upon war work. The engineering trade, for example, was only down 3.2 per cent. on the aggregate, and shipbuilding was actually 10.8 per cent. up.¹ But even so (and the value of these reinforcements will be considered immediately) 16 per cent. of the men engaged on small arms production had been allowed to go during months when rifles were objects of rarity, and nearly a quarter

¹ This was due to the large reinforcements that these trades drew into their ranks from other trades which in the early days of the War appeared thereby to suffer heavy unemployment.

of the men used to the production of explosives had left work, when no man knew overnight whether the shortage of high explosives might not on the morrow produce irreparable disaster.

Nor do the percentages of reinforcement represent net addition in strength. The wastage had proceeded with almost incredible momentum in the first three months. By the end of October, for example, the engineering trade had lost 12·2 per cent. of its strength. However the gaps were filled, wounds so suddenly inflicted in the body of an industry would be long in healing. Industries, like human beings, are apt to hobble after amputation. From every shop men had gone suddenly and in large numbers, thus gravely embarrassing the machine at the very moment when it was to be called upon for unexampled effort. Reinforcements came, but how far were they fitted to take the place of those that had gone? The patriotic impulse was not cautious. It did not select its men, saying to the skilled man 'Stay' and to the unskilled 'Come'. It knew nothing of key industries or pivotal workers. It chose, if not all, the best in all ranks and grades of industry. It took the skilled man equally with the unskilled, it took the strong man in preference to the weak, and above all it took those to whom the struggle meant most. The places of the skilled had to be taken by the less skilled, the places of the strong by the weak, of the resolute by those less resolute. If the quality of the workers had remained unchanged the task before them of supplying the necessary munitions would have been formidable enough. How almost impossible it must have seemed with the new material! Consider the difficulties. In place of a body of men knowing one another and their business, conscious, if only in the loosest way, of a sort of *esprit de corps*, a crowd of men new to each other, and to the work. Day by day new demands were made of the manufacturers, and instead of being able to choose men fitted by experience, and skilled for the work, they had to make shift with men often inexperienced, and so far from possessing the team-spirit, doubtful of the encroachments that one class of workers was making upon another, worried by differences of wage which they found difficult to understand, and suspicious of the new methods of a new employer.

Voluntaryism had produced, as without the most elaborate provision it is bound to produce, the problem of the choice between the needs of the fighting forces and of production of supplies for the fighting forces. How little even those responsible for the conduct of affairs guessed that this problem was likely to arise is illustrated by the following facts. In August and even in September the unemployment figures rose sharply. This was in accordance with the general anticipation, and almost the first step taken by the Government on the labour side of the war activities was the creation, in the early days of August 1914, of a strong Committee for the prevention and relief of distress.

A Special Department of the Local Government Board, as the Department concerned with distress, was set up. Schemes were hastily established for the institution of relief committees, and workrooms were improvised to find occupation for women workers. Indeed so obscure was the situation, that when the shortage of equipment for the new armies was beginning to become patent, the idea of giving contracts for shirts to these workrooms was actually welcomed as a means of mitigating unemployment. In addition to all this, two national appeals for money for the prevention of distress were made—the appeal of the Prince of Wales for the men, and the appeal by the Queen for women, both meeting with an enormous and instantaneous response, and resulting in the accumulation of funds of which the ultimate disposal some years later became a matter of some delicacy.

Nor were the Government alone in taking this point of view. On the 19th August the Engineering Employers' Federation and the Executive of the Amalgamated Society of Engineers met to discuss ways and means whereby the unemployment contingent on the national crisis might be minimized, and within three months the trade, destined almost to carry the national fortunes on its shoulders, had lost 12·2 per cent. of its effectives, and had in the early days been glad to see them go as a means of reducing unemployment. The business community, not to be left behind, had determined to see the War through on the basis of 'business as usual', which, if it meant anything, meant that in order to prevent unemployment work which in many cases

would be of no national advantage, and in some positively a disadvantage, should, even if at the employers' loss, be carried on. In the light of subsequent events it may seem strange that the most deep-rooted fear at this stage should not have been of a possible shortage of man-power, but a dangerous surplus. But it is difficult, looking back, to see how otherwise even the most far-seeing of men would have envisaged the situation. In order to prevent a complete collapse of credit it had been necessary to resort to a moratorium. The whole fabric of industry was rocking to its foundations. No one could predict the size of the armies to be enrolled, nor the duration of the War. The one dominant fact of the situation was a sudden and calamitous snapping of all commercial bonds with, as stated above, heavy unemployment in the first few weeks of the War. Who could have supposed, in August 1914, that for all the lost customers there would arise, like the animal out of the sea in Kipling's story of King Solomon, a vast creature whose capacious jaws snapped up all the existing demands in one mouthful? Who could have guessed? It was rumoured later that one American financier, on hearing of the declaration of the European War, took an option on every machine tool in the United States of America. If the tale is true, he was the most astute man living.

War, if it has no other good qualities, is an accomplished teacher. By the end of September the fear of unemployment, as the figures collected by the Labour Exchanges proved, had dissipated. By the beginning of October the first ominous signs of shortage were beginning to press themselves upon notice. Certainly not later than October 1914 it became obvious that the supply of munitions would have to be multiplied out of all knowledge. It was not till the spring of 1915 that the shell shortage was to rivet public attention, but long before that, the difficulties arising from a general deficiency of munitions were causing grave anxiety. The bulk of the production, outside Woolwich Arsenal and the Enfield Small Arms Factory, rested with about half a dozen great armament firms—Armstrongs, Vickers, the Birmingham Small Arms, Coventry Ordnance (to mention the principal ones)—and with two or three great explosives-producing firms such as Kynochs and one or two others. Woolwich Arsenal itself

dominated the whole position, since all shells, for example, had to be tested by its examiners, and all designs were settled by the Ordnance Board. At the same time it would not be true to suggest that no other firms were interested in munitions supply. All the great firms had made a practice of sub-contracting for parts. In this way a considerable number of engineering workshops had had experience in munitions production. On the other hand, except the principal armament firms themselves, there were practically no firms who had manufactured, for example, a completed shrapnel or H.E. shell. Indeed it is doubtful whether any had even been entrusted with the making of the whole of the very elaborate fuse which formed part of the design of both shells.

When the War started, the first thing that happened at the very moment when the War Office were beginning to place gigantic orders was that even the armament firms were losing skilled men in large numbers. Nor, even if they had retained all their men, could these firms conceivably have produced what was required. Armies can be expanded indefinitely (subject to the limiting factors of training and accommodation) by the addition of men in bulk, but output of munitions cannot be thus simply increased. Any given machine, as any given factory, is only capable of a certain maximum production. If production has not been at the maximum it may be increased by improved methods, longer hours, and more men. But, given a fixed number of machines, it should be possible to calculate almost with mathematical exactitude the total production of which a factory is capable. Indeed if anybody had seriously attempted a census, and if the true demands for munitions could have been assessed, it should have been possible to declare with scientific certainty exactly how far Woolwich, Enfield, and the armament firms would necessarily fall short of the tasks imposed upon them.

This scientific calculation was not possible in 1914 : at any rate it was not attempted. Vast orders were placed with the armament firms and accepted by them in the hope or the belief that in war time there is no such word as impossible. But the supplies ordered were not coming in at the expected dates of delivery, and if they had come in at these dates they would

have been inadequate. It became clear that either the great firms would have to be largely reinforced, not only in respect of men but of machines, or that the area of production would have to be considerably extended, or that both courses would have to be attempted.

As always in the late War, the solution was not reached scientifically or in one bound. Problems were attacked stage by stage. The stage reached here in the matter of increase of production was the negative one—of attempting to protect the men required for munitions production from the recruiting officer. Already in September 1914 Messrs. Vickers had suggested the issue of a badge to protect men employed on vital production from the recruiting sergeant, and during the later months of 1914 the Admiralty were taking steps to protect workmen engaged on Admiralty production. As early as this, therefore, the problem of the division of man-power between fighters and workers had arisen.

CHAPTER IV

THE LIMITATION OF RECRUITING AND THE ATTEMPT TO SECURE A SINGLE CENTRAL MAN-POWER AUTHORITY

THE history of the limitation of recruiting divides itself into two clearly distinguishable periods—the first period when the object was to protect labour engaged in the production of munitions from the recruiting officer; the second, when this object had been achieved, the period of combing-out during which the main object was not to protect munitions workers in bulk, but to keep those really indispensable while releasing the rest for service with the Colours in exchange for substitutes. The first is the period of badging and exemption, the second the period of debadging and removal of exemptions. Both periods were excessively confused, and if main points are picked out it must not be assumed that they are more than an indication of a general drift. It is not really possible to say, for example, when the badging period ends and the debadging period begins. Moreover, within both periods the various stages overlapped and co-existed. Subject to this general warning it may be stated that there were three stages in the period of badging—the first the negative stage in the autumn of 1914, when recruiting was indiscriminate and unchecked; the second the stage when badging systems were adopted both by the Admiralty with some vigour, and the War Office with less, but without co-ordination and on rather different principles; and the third stage when, with the creation of the Ministry of Munitions in July 1915, a single badging authority was created, which took the place of the other two. The second period began in the autumn of 1915, while badging was still being carried on. Its first stage was during the actual progress of the Derby Scheme, when the Ministry of Munitions had tentatively initiated a small scheme of debadging. This debadging stage, however, overlaps with what may be described as the fourth badging stage—namely the stage of the creation

of Appeal Tribunals who had as one duty the protection of men unbadged by the Ministry of Munitions, and who were yet indispensable. These tribunals were assisted in this work by the schedules of reserved occupations prepared by the Reserved Occupations Committee appointed in October 1915 (see below). This stage of badging culminated when badges were made statutory exemptions by the Military Service Acts of 1916, and the tribunals became statutory authorities for exemption. The second stage in the period of debadging is provided by the setting up of two successive central authorities, charged with the duty of deciding the principles upon which exemptions should be granted and withdrawn. The first of these was a Central Cabinet Committee set up in March 1916, which gave way to the Man-Power Board set up later in the year. The third stage arrived before either of these authorities had really achieved their objects, and was signalized by the signing of the Trade Card Agreement between the Government and the engineering Trade Unions, which so far as the main munitions trades were concerned temporarily solved the question by making the Unions the badging and debadging authorities for their members. The fourth stage followed in the spring of 1917 when, the Trade Card System having proved unsatisfactory, the system was abolished in favour of a scheme of exemption based on a carefully, though not completely, classified Schedule of Protected Occupations which took the place of badges. This system held the field for the remainder of 1917, but in 1918 in turn gave way to the system of withdrawal of exemptions by Order for men of certain ages in bulk. This marked the final stage which, in September 1918, reached completeness in the Reserved Occupations List.

Side by side with the various developments in policy in respect of badging and debadging, there was a continuous, if partly unconscious, attempt to establish a single central authority to deal with the whole question. The Ministry of Munitions,¹ when it took over the functions of both the Admiralty and the War Office in July 1915, was the first attempt made to realize this aim. But the Ministry was only concerned with the munitions trades, and moreover, as being profoundly concerned with the

¹ For text of Ministry of Munitions Act, 1915, see Appendix I.

retention of men for munitions, could not bring to the solution of the questions involved that impartiality which was obviously essential in any central authority commissioned to adjudicate between the claims of the Forces and the manufacture of munitions. Four attempts were made in succession to establish such an impartial central authority. The first attempt was made when the Cabinet Committee on Exemptions was set up in March 1916. This Committee had no executive powers, its relations to the badging authority were obscure, and it had not the necessary information to enable it to reach any general conclusions. It achieved little and was succeeded by the Man-Power Board created in the late summer of the same year. This Board—like the Committee—suffered from the vagueness of its powers. It did, however, offer certain solutions which, like itself, did not find acceptance with Labour opinion. The Board disappeared with the Trade Card Agreement and was immediately succeeded, at the beginning of 1917, by the first executive central Department, the Department of the Director General of National Service, established by the Lloyd George Coalition Government. The Department was, however, doomed to failure because it was given responsibility only for civilian labour, the recruiting machine remaining distinct and under War Office control. Moreover, even in the area of civilian labour its powers were dubious. Its relationship to the Ministry of Munitions remained undefined throughout, and it was never given control of the Employment Exchanges, the machine upon which the whole Government system of labour supply rested. The Department maintained a precarious and not very fruitful existence till the summer of 1917, when it was replaced by the Ministry of National Service. This Department had control of labour for civilian and military purposes. Its authority was reinforced by the general instructions, under which it acted, of the Priority Committee of the War Cabinet, of which the Minister was a member. This Department arose too late in the day to take its proper place, but nevertheless it achieved not inconsiderable results, and was the nearest approximation to the ideal of a single central authority that the War produced.

Finally, in the principle upon which exemptions for indispensability rested, several stages of development may be observed.

Originally, and until April 1916, the onus of issuing or refusing a badge rested upon the individual employer. That was recognized throughout as imposing a heavy and invidious burden upon him. But any alternative seemed at first administratively impossible. As from April 1916, however, the onus was transferred to the Ministry of Munitions. Originally, under the first scheme, it was the firm that was 'badged'; under the later scheme it was the man. A third change was the extension of the class of man to whom badges applied. In the first period, so far as principle was evolved, the principle was to limit protection to the workers in the last stages of production, i. e. those actually making the gun or the shell. But later badging covered, as it obviously required to cover, indispensable workers at every stage of production. In the fourth place, exemptions were issued originally for occupations irrespective of the age of the worker concerned or of his medical category. This, in fact, meant the complete exemption of certain occupations, which, if the qualifications of age and health had been introduced, might have been partially exempted. Both these qualifications were adopted later, thus widely extending the field of possible recruiting.

Owing to the perpetual fluctuations and cross-currents of policy that affected this matter, it is not possible to do other than to give a purely chronological account of the history of badging and debadging.¹ Any attempt to set it out clearly under the headings, isolated above for the sake of attempting to present a general conspectus, would be to distort events. Accordingly the account that follows does not attempt to do more than to set out the events in the order in which they occurred. The result is inevitably to produce a confused and blurred picture, but no other picture would be true to the facts.

A. THE PERIOD OF BADGING

1. *The negative stage.*

During 1914 recruiting continued to be quite indiscriminate. By the beginning of 1915, however, the attitude of the military

¹ An interesting illustration of this is the case of the Reserved Occupations Committee which, created as an exempting authority, in its later stages was equally engaged in extending exemptions in some occupations and restricting them in others.

authorities changed. Several things had conspired to produce this result. In the first place the winter had imposed its natural restrictions upon active operations. In the second the munitions manufacturers, hard pressed by the fighting Departments, were constantly defending their failure to maintain deliveries by reference to the recruiting officer. In the third place not only were the demands from General Headquarters for munitions constantly increasing, but it became obvious that the armies that were being trained could not be equipped.

2. The stage of badging by the Admiralty and the War Office.

The first steps taken were of an experimental nature. Towards the end of December the Admiralty were authorized by the Government to issue war service badges. These were issued to the Royal Dockyards and to the contractors upon the Admiralty list. No attempt was made to classify the recipients of the badge. The onus of distinguishing indispensable men was laid upon the employer himself, who was invited to have special regard to the skill and experience of those chosen, and not to issue the badge to any person who could be spared. He was further asked, in the hope possibly that the distribution might have the appearance of order, to keep registers of the names of all persons to whom the badges had been issued.

It is important to notice that the Admiralty did not limit the issue to men engaged on any specified type of work. Badges could be given to a man engaged on any munition work at any stage. In this respect the Admiralty practice differed from that of the War Office who, when they issued their badges some months later, in March 1915, confined them to 'technical workers' employed by the Royal Factories and the recognized armament firms manufacturing guns, small arms, and ammunition for the British Government. The War Office showed that they were alive to one of the defects in the Admiralty scheme by their definition of 'technical workers' as 'all skilled draughtsmen or other technical assistants in the office, and supervising staff and all skilled workmen or semi-skilled workmen, but not to include the grades of labour usually classed as unskilled'. This represented the first attempt to think out the basis of exemption

in relation to the worker's actual occupation. On the other hand, in limiting their badges to persons engaged in the production of guns, carriages, small arms, and ammunition, the War Office were less far-sighted than the Admiralty. For, as became obvious shortly after, the protection, if it was to be effective, had to start with workers on the raw material, and follow it right through to the finished article. On the other hand the War Office had thought of numbering their badges ; this had not occurred to the Admiralty. So far then there was no common principle or machinery applied by the two Departments to the issue of badges. A considerable advance, however, was made in May 1915.

In the spring of 1915 the shell shortage was one of the principal points engaging the public mind, and was no less present to that of the Government. The Government were taking drastic steps to grapple with the problem. Mr. Booth had been appointed to stimulate the output of munitions, and two Committees, one at the War Office and one under the Chairmanship of Mr. Lloyd George, had been established to assist him in his labour and to give him the necessary authority in his contest with the recruiting authorities.¹ All this meant that the point of view of home production was beginning to assert itself. Its direct consequence was the issue, in May 1915, by the War Office of the following instructions to all recruiting officers :

As a temporary measure, the necessity for which arises from the immediate and urgent need for the increased production of munitions of war, no man in any of the classes of labour mentioned in Lists A and D, and no man employed by one of the firms mentioned in Lists B 1, B 2, B 3, or C, are to be accepted for enlistment.

Recruiting officers and recruiters are to take no action either by advertisements, posters, or word of mouth, with a view to inducing any of the men referred to above to enlist, and men who present themselves for enlistment should be carefully questioned, if any doubt exists, in order to ascertain if they are ineligible under that paragraph.

List A specified certain skilled trades in which there was a shortage of labour required for the production of munitions of war.

¹ For the account of the work accomplished by Mr. Booth and the two Committees, see Chapter V.

List D covered skilled trades and occupations specially concerned with work for the Admiralty in seaport towns.

Lists B 1, B 2, and B 3 contained the names of firms engaged in the production of warlike stores for the Departments of the Master-General of the Ordnance and the Quartermaster-General, and for the Military Aeronautics Directorate respectively.

These lists, which included both main and sub-contractors, were drawn up on the recommendation of the Director of Army Contracts after confirmation by the directors of the Departments concerned. The Adjutant-General was also frequently, if not always, consulted.

List C contained the names of firms engaged on work for the Admiralty. When a firm was placed on this list it received the following letter from the Secretary to the Admiralty :

I am commanded by My Lords Commissioners of the Admiralty to inform you that the name of your firm has been placed on the list of those firms whose workmen, if employed on skilled technical work in which they cannot be replaced, may not be recruited for active service except on certificate from their employers that their services are not indispensable for the due performance of Admiralty work. . . . The discretion thus given to your firm carries with it a corresponding responsibility. Every care should accordingly be exercised so as not to hinder any man who desires to enlist if his services can be spared without detriment to Admiralty work.

The actual occupations of men to be protected had been classified, if not completely, at any rate with some degree of care. The system was, of course, still far from complete. No scientific attempt had been made to survey the whole field of national production. On the schedule attached to the instruction of May there is no reference, for example, to miners, workers in steel, or workmen engaged in food production. Further, the recruiting officers were by no means inclined to attach undue importance to the badge, and as the stresses of war continued throughout 1915 the badge was often laid on one side without protest from the recruiting officer and without real possibility of interference by the employer. Moreover, the onus of distribution rested on the employer. This was unfair, if inevitable. The best employer, torn between a desire for victory in the field and the knowledge that without the munitions which he was

producing victory was impossible, was naturally disposed to give his workmen the benefit of the doubt. In the result, as late as July 1915, many vital occupations were not protected at all, and in the protected occupations the men most needed could and often did go, and those less needed found in the badge the reason they were seeking for staying at home. Confused, irregular, and incomplete as the system was, it was not without its results at any rate so far as the Admiralty were concerned. For that Department had by the end of July 1915 issued some 400,000 badges. The War Office, on the other hand, at the same date had issued only some 80,000, of which 75 per cent. had been issued to the Royal Factories and to five armament firms. But in considering the smallness of this total, it is fair to remember that the War Office proceeded on stricter lines than did the Admiralty. The badges remained the property of the War Office and were numbered. Searching inquiry was made into the firm's contracts, and the proportion of time spent on war work by the men to be exempted, and the list of firms covered by the May schedule was extended only to the extent that in certain additional firms badges might be issued to men prepared to enlist subsequently if called upon. These restrictions, while bound to reduce the number of badges, were soundly conceived even if they were prematurely applied.

3. The stage of badging by the Ministry of Munitions.

At this point the Munitions of War Acts and the Ministry of Munitions make their appearance. The Acts, which were for civilian labour what the Military Service Acts were for the Forces, will be considered from the point of view of general policy in the chapters on Labour Regulation. Their effect on badges is only a minor incident in a far-reaching scheme. But the Ministry of Munitions in taking sole charge, as it did, of the problem of badging, represented the first considerable attempt to realize the central labour authority which culminated finally, through the stages of the Man-Power Board and the Department of the Director of National Service, in the National Service Ministry.

It was necessary, as a preliminary step to regularizing the position in respect of badges, not only that the Minister of

Munitions should have statutory powers to issue badges, but that it should be an offence for any person other than the Minister to issue them. Accordingly, section 8 of the Munitions of War Act, 1915, provided as follows :

The Minister of Munitions may make rules authorizing the wearing of badges or other distinctive marks by persons engaged in munitions work or other work for war purposes, and as to the issue and return of any such badges or marks, and may by these rules prohibit the use, wearing, or issue of any such badges.

In accordance with these powers Provisional Rules were issued on the 23rd July.¹ On the 26th July, not without a measure of preliminary discussion with the Admiralty and War Office, the Ministry of Munitions became the sole badging Department. The first step was to issue letters to all firms on the Admiralty and War Office lists, informing them that, for the system of protecting the whole of a firm's employees from recruiting had been substituted the national war service badge. This represents the broad change in the basis of badging to which reference is made later in the chapter. A similar letter was issued to 150 machine toolmakers, iron, steel, spelter, fuze and cartridge metal firms, electric power stations, gas works extracting toluol, and to chemical firms.

Here was a recognition that workmen must be protected at every stage of production. The letter also enclosed the Provisional Rules and an explanatory circular, which aimed at laying down the principles of badging. It accepted the earlier and judicious definition of the workman to be protected which had been laid down by the War Office (see p. 24). It defined 'munitions' work as employment in the manufacture or repair of arms, ammunition, ships, vehicles, aircraft, or any other articles required for use in war or of the metals, machines, or tools required for that manufacture or repair, adding 'In determining whether work not falling within the one definition can be held to be "work for war purposes", the Minister of Munitions will have regard mainly to the question whether the work is work on the production of any commodity or in the performance of any service which

¹ They became statutory on the 9th October 1915, but had been acted upon long before that date. For full Rules see Appendix 2.

there are reasonable grounds for believing to be necessary to enable any contract with the Ministry of Munitions, the War Office, or the Admiralty, to be fulfilled.' The employer was still to remain the authority for distributing badges, but these would be numbered, and the firm would have to furnish a list of the men badged within 14 days of issue. Finally, in making application for badges the employer was required to state what war contracts—direct or indirect—were held, what deliveries had been made, how many men were employed upon them, and for what proportion of their time.

These directions provided something in the nature of a code, but the situation still had its difficulties. In the first place a complete and scientific analysis and registration of the nation's man-power was a necessary preliminary to success. The only workable lists, however, that existed were the schedule attached to the War Office circular of May 1916, the Labour Exchange lists, and the general list issued in respect of railways, coal-mines, and dockers which was comparatively simple as being practically universal. But these lists at best indicated the sort of men who should be retained in the interests of production ; they threw no light on the even more important question whether in fact the needs of the Forces for men would allow them to be retained. The angle from which the Ministry of Munitions at the outset necessarily approached the problem was that of keeping men for munitions—a not unpraiseworthy object when some 25 per cent. of potential producers of munitions had been enrolled. Moreover, as they had no scientific data as to the distribution of man-power, they could not have done other than they did. It is true that in August 1915 the National Registration Act took effect in the issue of a form to all males and females between 15 and 65 which required them, among other things, to state their occupation, their employer's business, whether they were on war work, and whether they were skilled in any work other than the work upon which they were engaged. The object of this census was, as Lord Lansdowne explained in the House of Lords,¹ to secure 'that every member of the community should bear not merely a part in the national task, but the part which he

¹ *Parliamentary Debates* (1915), House of Lords, xix. 336.

is best qualified to undertake'. This was as ambitious, as it was a proper object, but it was perhaps sanguine to suppose that questions so framed, collected from a population undergoing changes of occupation with unexampled rapidity, by persons unversed in the business of census-taking and correlated at a speed which forbade accuracy, was likely to have the results anticipated. Indeed when all the difficulties are considered, the wonder is that the National Register achieved as much as it did. From the point of view of badging, however, the fact is that the results of the registration did not arrive in time to assist the Ministry of Munitions. Nor at that time was there available the results of the preliminary work of the Reserved Occupations Committee which started in October 1915 its task of framing successive lists of occupations requiring protection for the maintenance of national trade and food supply.

The Ministry of Munitions had, therefore, to issue their badges ignorant of the general man-power position, and in any case the badges were restricted only to the direct production of munitions. Nor were the difficulties of the issue of badges caused merely by ignorance of the general distribution of man-power. The mechanical difficulties were perhaps even more formidable. In the first place there were the 400,000 unnumbered badges issued by the Admiralty to be exchanged for war service badges. The Admiralty, as indicated above, had in December 1914 commenced the issue of badges to Royal Dockyards and contractors on their list. Not only was the onus of distribution upon the employer, but there was no central record of numbers of the badges issued. It was clear that if the Ministry of Munitions was to produce a comprehensive and consistent scheme, this floating mass of irregular badges must be withdrawn. Consequently, before anything else could be satisfactorily arranged, an exchange of badges was necessary. When one reflects that to surrender a badge might involve liability to enlistment, the extent of this problem will be appreciated. But even if this initial handicap had not existed, the complexity of labour in itself made the task of the Department one of supreme difficulty. The problem was to distinguish the skilled from the unskilled. This problem had for some 30 years exercised the employers and the Trade Unions

without being solved. It was no easier of solution at the time when demarcations between the skilled man and unskilled man, trade and trade, were being challenged and obscured by the introduction of the automatic machine on a wide scale. Moreover, skill could not be the only criterion. The skilled man depended upon his unskilled helper for his product, and in some of the key occupations unskilled strength was from the national point of view as vital as skill.

These were formidable difficulties, and it would be idle to pretend that they were surmounted. Badges were no doubt issued in large numbers to persons, from the national point of view undeserving of protection, while on the other hand many who should have been protected were left unbadged. The badge at best was a desperate remedy, but its desperation did not deprive it of its medicable property. It was perhaps a house-painter's brush attempting the work normally demanded of the painter, say, of water-colours. But it produced its pictures. For after the Ministry of Munitions Badging Department had been in effective operation for some months the problem was no longer one primarily of protecting men from the recruiting officer, but (at any rate as the Military Authorities saw it) of protecting the recruiting officer from the Ministry of Munitions. In the face of almost incredible obstacles the Ministry had contrived to arrest the first blind rush. Behind the barriers thus erected it became possible to survey the general position a little more coolly.

The problem from this time became no longer a double one—first of finding men for the Forces, and then of finding them for munitions. It is assumed that both the Forces and munitions have staked out their respective claims. It is now a question of allocating territory as between the two both strongly established. For the Ministry of Munitions, the problem of the future is, not how many more men fit for military service they can keep, but how many they can spare by virtue of reinforcement, substitution, regulation, and every other method that could be devised.

The first considerable step to enable the problem to be viewed as a whole had been taken in the National Register of August 1915. The troubles that beset the registration have already

been suggested, but it has also been suggested that the results were by no means negligible. A Committee was set up to advise on the best means of utilizing the Register. They pointed out, in their preliminary report, that if the Register was (as in fact it was) primarily designed to obtain additional recruits, it would merely increase the confusion as between the demands of the Army and of munitions which already existed. They suggested, therefore, the creation of a central advisory body to correlate all information as to national needs and resources, and they made the extremely important suggestion that local tribunals should be established by the Government to decide whether a man claimed by his employer as indispensable should be recruited or not. They pointed out that in the meantime the Registrar-General had issued instructions that the names of all men of military age should be written on pink forms, and they assumed that these forms would be forwarded to the recruiting officers. They therefore advised that the Departments primarily concerned should be asked to supply lists of occupations to be protected.

This last recommendation was accepted, and a list was prepared covering certain occupations in coal, steel, and iron mining, skilled occupations in agriculture, and certain occupations on railways. In addition the Reserved Occupations Committee was set up in October 1915 to deal with the protection of labour in industries vital for supplying the essential needs of the country and for preserving exports. The Committee was originally formed as an expert Committee containing representatives of the Board of Trade, Home Office, and Department of the Registrar-General. Later, however, representatives of all the following Departments were added : War Office (Recruiting Department), Badge Department Ministry of Munitions, Admiralty, War Office (Contracts Department), Ministry of Munitions (Labour Supply), Home Office (Mines), and Board of Agriculture : Local Government Board and Employment Department of Ministry of Labour. The Committee reported first to the Committee on the National Register, then to the War Cabinet Committee on Exemptions, then to the Man-Power Board, and became in turn a vital part of the Department of the Director General of National Service

and of the Ministry of National Service, thus supplying a steadily increasing and continuous body of experience and information on the all-important subject of the list of exempted occupations. The Committee's first list was drawn up in respect of occupations other than those covered either by badges or by the new lists in respect of coal, agriculture, and railways. The first comprehensive list relating to badged occupations, the special occupations mentioned, and to the Committee's reservations, was issued in January 1916 in preparation for the first Military Service Act, and was thenceforward the standard list of 'certified occupations'. But the Committee's first list was too late for the purposes of the National Register. Before they had been issued it had been proposed and agreed that the pink forms of men in these occupations should be marked with black stars by the Labour Exchanges, and that men so starred should not be accepted by the recruiting officer. In the result, when in October the census was completed, it was found that of the 5,158,211 pink forms written, 1,519,432 were starred.

Though there was no doubt that there was a considerable margin of error in these figures, they did at least give some basis for approaching the man-power question as a whole, and by this time, from the military point of view, the question was one of compulsion. The men required for the 1916 campaign were estimated at about 1,500,000. The registration figures indicated that they were available. Could they be obtained as required without compulsion?

The issue now to be faced was crucial. Till this date Great Britain alone of the principal belligerents had fought on a voluntary basis. Not only was the voluntary basis gravely interfering with the output of munitions, but the intake of men was week by week falling short by 30 per cent. of what it was calculated that the Forces required. At the same time the financial position of the country was causing alarm. The recruiting machine continued to take men who were vital in this respect with a corresponding disorganization in such export trade as remained. Indeed, from whatever angle, except one, from which the matter was approached, compulsion appeared inevitable.

But the exception was important—it consisted in the character-

of the British nation. It has been argued, in certain quarters, that in the first months of the War the nation as a whole would have taken compulsory service in its stride. But the first glow had perceptibly faded. The Clyde engineering strike of January 1915, and the miners' strike of August 1915, showed that Labour opinion was awakening to the fact that even in war time it was necessary to watch their interests.

In these circumstances it was felt to be impossible to risk the introduction of compulsory military service until it had been established beyond question that the men would not be forthcoming by voluntary methods. The Government accordingly decided upon the course of putting the military position and the need for men before the representatives of Labour. After a Conference, held on the 28th September, the Unions declared themselves in favour of another voluntary effort, and issued a strongly worded appeal for volunteers. A few days later (11th October 1915) Lord Derby was appointed to the direction of recruiting, and on the 19th October he explained at a public meeting what has since been known as the Derby Scheme.

It was made clear from the outset that the scheme represented the last throw of the voluntary principle. Speaking in the House of Commons on the 2nd November, Mr. Asquith said : ' If there should still be found a substantial number of men of military age not required for other purposes, and who, without excuse, hold back from the service of their country, I believe that the very same conditions which make compulsion impossible now—namely the absence of general assent—would force the country to a view that they must consent to supplement, by some form of legal obligation, the failure of the voluntary system.'

This was the dominating note of the Derby Scheme. For the rest it had the following main features, all, or nearly all, of importance as forecasting the general basis which was to govern recruiting under the Military Service Acts. In the first place only those men were to be enlisted who could be spared from civilian production. There was to be a general canvass of the male population, leaving out only the men starred under the National Registration Scheme and the men on work for the Admiralty, War Office, or Ministry of Munitions, in possession

of war service badges. Here the dual principle (never subsequently abolished) distinguishing between badges and all other exemptions was set up. In the second place the men were to be enrolled in age-groups, divided into two—married and single men. Thus the inevitable Continental principle of annual classes was introduced with the difference, subsequently difficult to retain, of a distinction between the married and unmarried men. Finally a machine for appeals against enlistment or appeals to be placed in a later class was created in the Appeal Tribunals set up throughout the country as a result of a circular issued on the 20th October by the Local Government Board—who as being in touch with local authorities were made responsible for Tribunals. Here, again, the machinery for exemptions, which continued under the Military Service Acts, was established.

The first great difficulty that faced those responsible for the success of the Derby Scheme, apart from the question of finding the requisite numbers, was the problem of selection. Lord Derby intended that starred and badged men should not be enlisted, although they might be attested. But there were grave doubts both as to stars and badges. So far as stars were concerned, the starred occupations under the Registration Act were inadequate even for munitions work for which they were designed, and took no account of the other national necessities. To repair this difficulty the Reserved Occupations Committee had been set up. Valuable advice, based on their recommendations as to exemptions, was issued by the Local Government Board to Tribunals. But the task before the Committee was little short of gigantic, and they could not be called upon to complete it in the time. Moreover, the Ministry of Munitions, alarmed at the prospect of losing men vital to production, continued to issue badges. Finally there was the question as to the powers to be vested in the Appeal Tribunals. It was contended, and finally decided, that the Tribunals should not have the power to interfere with badged men, and that so far as men in starred occupations were concerned, their jurisdiction should be limited to considering cases in which :

(a) Questions were raised as to the right of individuals to be included in a starred occupation.

(b) It was contended that a man in an occupation unstarred should be retained.

(c) It was possible to relax the starring in some localities where men could be spared.

In fact, as might have been anticipated, the inevitable conflict of interest between the recruiting officer and the representatives of home production produced difficulties. Though it had been laid down at the outset that starred and badged men must not be enlisted, this direction was by no means universally observed. Indeed so far was this from being the case that it became necessary during November to issue the following poster broadcast :

MINISTRY OF MUNITIONS
Enlistment of Munition Workers

No men officially badged or starred for munitions work may be enlisted for immediate service in the Army. Men so badged or starred may be 'attested' for the Reserve on condition of returning to civil employment. They will receive the khaki armlet and will not be called up for service unless at some future time the Ministry of Munitions decides that they are more urgently needed in the Army than for munitions work.

D. LLOYD GEORGE.
DERBY.

11th November 1915.

While these arrangements were being made to prevent the wrong men from getting into the Army, the last great bid for the voluntary principle was being made with the utmost enthusiasm. But it was not destined to succeed. The figures which sealed the failure of the effort were given in a report presented by Lord Derby on the 20th December. Of 5,011,411 men of military age, 2,829,203 had offered themselves, 215,431 had enlisted for immediate service, 2,184,979 had attested under the group system, and 428,853 had been medically rejected. Of this total, it was estimated that only 343,386 single and 487,676 married men would be available for service in the field. Tremendous as this total was, it yet fell far short of the 1,500,000 required. There remained not less than 1,029,231 unmarried men who had not presented themselves. These figures were unanswerable, and on the 5th January 1916 Mr. Asquith introduced the first Military Service Act.

Thus, after furnishing the men required for the first 18 months

of the greatest war in which Britain had ever been engaged, the voluntary principle was abandoned. But both in its life and in its death it had been fruitful as indicating the only basis upon which a compulsory scheme could be administered. Mr. Asquith referred, on the 2nd November 1915, to the impossibility of introducing a compulsory scheme without general assent. Voluntaryism, by its proved failure, provided that assent. But its earlier success had done more than this : it had shown the snares that beset any rash and wholesale effort to impose compulsion without knowledge of its results on the national life as a whole. Nor had its results been purely negative. In the first place the nation had been roughly classified as the result of the National Registration Act, of war service badges, and of the labours of the Reserved Occupations Committee. Secondly, the principle of exemption upon the basis of industrial requirements had been firmly established. In the third place the principle of the annual class had been made familiar. Finally, the procedure for lodging appeals had been initiated. These principles were embodied in the Military Service Acts of 1916, which took in first the single and then the married men. The badges, translated into certificates of exemption, were continued, power being given to Government Departments to grant them to men or classes or bodies of men engaged upon work of national importance. Military Service Tribunals were set up, in the place of the Appeal Tribunals, to deal with appeals in cases where men had not been granted such exemptions by Government Departments.

It has already been indicated that the Ministry of Munitions, from being the authority requiring protection, had become the authority against which protection was required, or at any rate it was now so regarded by the Military Authorities. The state of affairs can best be indicated by saying that two returns obtained from about 12,000 badged firms in May and December 1916, indicated that of a total number of 2,112,896 males employed, a total of 1,118,767 were of military age, and of these only a slight majority—698,587—were classified as skilled. If, therefore, the Badging Department of the Ministry of Munitions had a right to congratulate themselves upon their achievements, the War Office might, with a show of justice, inquire whether this success had not been carried too far.

B. THE PERIOD OF DEBADGING

1. First Efforts by the Ministry of Munitions.

The time had therefore arrived when for badging on a wide scale would have to be substituted debadging, at any rate, upon a considerable scale. Now it might fairly be assumed, despite all assertions to the contrary, that this vast army of badged men were in fact, as to the great majority, actually required for munitions and home production. Nor was the need for either form of production lessening. The demand of the Forces in the field for equipment increased week by week throughout the War. Meanwhile the necessities of home supply and of the export trade became daily more acute. It followed, therefore, that if a substantial number of men were to be released this could only be done by finding substitutes, either by way of altering the methods of work or by introducing a new labour element. In fact the need for a substantial increase of men for the Forces was becoming urgent. The Military Service Act, largely as a result of the unexpected number of exemptions, was not producing the inflow of recruits required. The solution—so far as one was found—was ultimately discovered partly in the substitution of less fit older men for the fit, and even more in the introduction of women to industry in great numbers.

This solution was not to be achieved in a day. The Ministry of Munitions took the lead in this matter by issuing in March to their dilution inspectors¹ instructions intended to secure the withdrawal of badges from men who could properly be substituted and for whom substitutes were available. But this was an effort made upon far too modest a scale.

2. The Stage of the Cabinet Committee of Exemptions.

The Government accordingly set up a Cabinet Committee at the end of March 1916 which was to sit as a final Court of Appeal settling the policy to govern exemptions.

The Committee had two fatal defects. On the one hand,

¹ Officers whose duty it was to arrange for the introduction of women upon work previously performed by men.

A central authority for this purpose must either by itself be able to settle decisively the general war strategy of the Government or at least be in full possession of its developments day by day. On the other hand, it must have a measure of executive control over all the Departments concerned with the supply of men. If, for example, the Government has decided that the next throw must be at sea, then not only must the Committee know that the national resources must be concentrated on supplying what the Navy judge necessary for this purpose, but the Committee must be able authoritatively to tell the recruiting officer and the other competing Departments that priority must be given to Admiralty demands.

This Committee was neither seised of the general strategic plans of the Government nor had it any real authority over the Executive Departments. It was, therefore, valuable chiefly for the lessons which its inevitable failure should have indicated. It occupied itself, without solving the question, by discussing whether the power of Government Departments to issue exemption certificates should be withdrawn. Despairing of reaching a general conclusion, it proceeded to appoint as a sort of sub-Committee another Committee to consider the reports of the badge inspectors, who had, as already stated, been sent out by the Ministry of Munitions to carry out debadging. But this Committee was no more successful than its parent whose vices it inherited. Unlikely to succeed, even if allowed to operate in comparative tranquillity, its failure was rendered certain by the fundamental change in the basis of badging which had been introduced just before the second Military Service Act (3rd May 1916) extended compulsion to married men who had not attested. Up to April 1916 the onus of issuing or refusing the badge rested upon the individual employer. After that date the Ministry of Munitions became responsible. Badges could neither be issued nor transferred without the consent of the Department.

With the great increase of work thrown upon the Department in consequence of this development, it was obvious that the interference of an outside Committee would either be embarrassing or neglected. The first result was escaped only because the Ministry of Munitions contrived to achieve the second. The

task before the Department was gigantic. The figures of the badges issued—over two millions—have already been given. Not only had these to be reviewed and new applications to be considered, but they had to be reviewed at a time when the military situation, varying almost from week to week, made it almost impossible to maintain a considered order of priority between the demands not only of the Forces and home production, but between the various branches of home production. In spite of these difficulties, however, reports had been received at the end of August 1916 in respect of some 850,000 badges, and some 40,000 had been withdrawn.

3. The Stage of the Man-Power Board.

Mountains had been in labour, but from the recruiting point of view 40,000 was a ridiculous mouse. The first battle of the Somme had entailed very severe casualties. The intake of recruits, even without allowing for exemptions, was in itself inadequate. In this extremity the Government decided to set up a new Committee, to be known as the Man-Power Distribution Board, with full final power to settle all questions concerning the distribution of man-power in the country.¹

But this Board was not destined to play a decisive part in the solution of the recruiting problem. Who drives fat oxen must himself be fat, and who drives executive departments must himself be executive. The Man-Power Board were probably designed to be executive, but in fact fell just short of that position. Much time, that might otherwise have been devoted to studying the principles of debadging and exemption, was occupied with an attempt to define the Board's own position.

The Board's work was not, however, wholly without result. In a gradual and tentative way they were groping their way to the only scientific settlement possible, recruiting and retention on the basis of a Schedule of Protected Occupations locally administered in place of centrally administered badges. They laid down the principle, for example, that exemptions by Govern-

¹ The Board was set up in September 1916. Its Chairman was Mr. Austen Chamberlain, and its other members were Viscount Midleton, Mr. A. Balfour, J.P. (of Sheffield), Mr. G. N. Barnes, M.P., and Mr. Stephen Walsh, M.P.

ment Departments should depend upon the action of the local Tribunals, at any rate to the extent that no badge certificates should be issued to men :

- (a) who had already been decertified by a Government Department ;
- (b) whose cases were pending before a Tribunal ;
- (c) to whom Tribunals had refused exemptions ;
- (d) to whom Tribunals had given temporary exemptions ; and
- (e) already under notice to join the Army.

This recommendation, or rather instruction, of the Board was coupled with the instruction that the Minister of Munitions should be allowed to claim the services of the men in the above classes, who would then, unless immediately required for service in an equally skilled capacity in the Army, be transferred to reserve.

Over all these instructions and recommendations, however, hung the shadow of the lack of local machinery to see them carried out. The Man-Power Board had under consideration the establishment of a local organization, which, if it could have been adjusted to those already existing, would have transformed the Board into a Ministry of National Service. Whether, if they had been left to themselves, the Board would have taken this further step must remain a matter of conjecture. For they were not left to themselves.

4. *The Stage of the Trade Card Agreement.*

Very little has been said in this chapter of the attitude of Labour to recruiting, but since it was Labour that settled the fate of the Man-Power Board, it may be worth while briefly suggesting the developments in the attitude of Labour which had been noticeable. The working men were as intimately caught up by the first enthusiasm as any other class in the community. The great Trade Unions gave public evidence of their belief that the cause was right, and that it was the duty of their members to defend it. As long as the purely voluntary system for both the Forces and civilian production remained, this attitude, which fundamentally never changed, suffered no qualification.

But complete voluntaryism lasted only, so far as civilian production at any rate was concerned, till August 1915, when the first Munitions of War Act was introduced. Its provisions will be discussed in detail later: here it is only necessary to observe that the sacrifices offered by Labour were in some respects driven home by statute. This altered, imperceptibly at first, but with growing force, the attitude of Labour, not so much to the War as to the methods by which it was being conducted. It behoved the leaders to see that what they had surrendered in the time of national necessity was not permanently lost. This altered attitude had, as indicated, been taken into account when the Government of the day had, before introducing compulsory military service, made a final concession to popular feeling with the Derby Scheme.

When that scheme broke down, Labour (as the rest of the community) was face to face with compulsion. Neither the Trade Unions nor the working men themselves were opposed, when all else had failed, to compulsion for strictly military purposes. But, though they might be willing to be conscribed to die for an idea, they were not willing to be conscribed to live (as it might have been put) for private profits. It was this point, the fear of industrial compulsion, which led to the only really controversial discussion in Parliament on the two Military Service Acts. Though, under the Munitions of War Acts, the establishments of employers engaged on munitions were 'controlled',¹ the essential point, from the Labour angle, was that they were not the property of the State but of the employer. They continued, as Labour maintained, to make handsome private profits. Uneasiness began to be manifested by Labour lest advantage should be taken of their sacrifices. This attitude was crystallized by the introduction of the Military Service Act. By that Act, since the power of the employer both to dismiss and to issue badges of exemptions remained, it seemed that the employer was now in the formidable position of being able to determine whether a man should be conscribed or not. This was a weapon of coercion that Labour was not prepared to see placed in the hands of the private employer. Three amendments were introduced into

¹ The meaning of this phrase is dealt with fully in Chapter VII.

the first Act to safeguard this position. In the first place, it was provided that, even if a man were out of work, an application for exemption to a Tribunal could be made on the ground that he was habitually engaged on work of national importance. In the second place, it was provided that no certificate of exemption should be issued upon condition that the holder remained in the service of a particular employer. In the third place, it was provided that a man should have a period of two months after dismissal from work of national importance in which to find new work which would entitle him to the continuance of exemption.

The same point was keenly debated in the course of the passing of the second Military Service Act of May 1916. It arose particularly in regard to two provisions proposed by the Bill. The first related to the period of two months' grace for finding further employment which had been granted by the third amendment to the first Act already mentioned. This provision had, in practice, given rise to real difficulties, and had the effect of helping to disappoint the expectations of the recruiting authorities. It was accordingly proposed to reduce this period to two weeks. At the instance of the Labour Party, however, the two months' period was retained for men covered by section 7 of the Munitions of War Act, 1915,¹ in those cases where men had been engaged in the same or similar employment before the date of National Registration—15th August 1915.

The second contentious provision was that which provided for temporary transfer to the reserve of men required for industrial purposes. This was immediately challenged as an attempt to introduce military discipline into civilian work, and was only accepted by the Labour Party with the proviso that 'during such period of transfer or demobilization the man shall not be subject to military discipline'.

Labour was therefore, by the autumn of 1916, keenly alive to the questions involved by the increasing restrictions upon personal liberty imposed by compulsion. Moreover, the first wave

¹ This provision, which is discussed in detail in Chapter XII, made it illegal and subject to a penalty of six weeks' unemployment for a man to leave munitions work without a certificate of consent from the employer.

of enthusiasm had spent itself. Long hours, unremitting labour, disappointment at the course of the War, and the growing restrictions upon freedom were having their inevitable result.

It was therefore to Labour, disposed to be actively critical of new proposals, that the scheme of the Man-Power Board was presented. Over and above all their other contentions, Labour held firmly to a pledge which (they believed) had been given to them by the Prime Minister, that no skilled man should be taken for general service. The scheme proposed by the Man-Power Board, involving as it did immediate debadging of men under 26, appeared to be a direct violation of that pledge, and the unrest created by the scheme culminated in a serious strike at Sheffield which led in November 1916 to the conclusion of what was known as the Trade Card Agreement—an agreement which cut across previous schemes of exemption, and rendered the further existence of the Man-Power Board unnecessary.

Labour had two main sources of grievance. The first was that the system of badging did not really protect the genuinely skilled man from the recruiting officer. The second was that the skilled men, already recruited and with the Colours, were not being used for the technical services but were detailed for fighting service. It was known that the Man-Power Board had proposed, subject to safeguards, the immediate decertification and debadging of all men of military age under 26. On the other hand, a proposal had been made by the Minister of Munitions that skilled men should remain exempt, but, subject to exemptions in steel and similar work, semi- and unskilled men should as far as possible be released.

Neither proposal was acceptable to Labour in the atmosphere of suspicion which had by this time manifested itself. Accordingly, under the cloud of the Sheffield strike, the Government met the leaders of Trade Unionism to discover some solution which would find the men without destroying the country's will to fight. The result was the Trade Card Agreement of the 18th November 1916. The three main provisions of the Agreement—none, *prima facie*, likely to increase the supply of men for the Colours—were :

- (a) That members of the skilled Trade Unions not fully employed on work should enrol as War Munitions Volun-

teers, and thus place their services at the disposal of the Government.¹

- (b) Such men would be given a card of exemption from military service to be issued by the Trade Unions themselves.
- (c) The provision of skilled men required for the mechanical work of the Army would be undertaken by the Ministry of Munitions, the Trade Unions using their best efforts to persuade their members to enlist for this purpose.

This Agreement had at least one result: it settled the strike. But from the point of view of provision of men for the Forces or for munitions work, it was predestined to failure. The genuine anxiety of the Trade Union leaders to help was not open to question, but their power to do so was by no means so clear. They were, by the scheme, given the power to decide whether a man should be retained in civil life or be taken for the Army. This may fairly be described as a terrible decision imposed upon men democratically appointed to the positions which they held, by the men whose fate they were thus required to decide. It was a desperate venture, both for the Government and for the Unions, and may perhaps best be described as the Derby Scheme of exemption. It was the last attempt to avoid the cold unswerving selection which must result from a scientific classification and selection.

While this scheme was advancing to its inevitable failure, events in the political world were moving rapidly. In the middle of December 1916 the first Lloyd George Coalition Government was formed. For our purpose the action of immediate importance taken by that Government at the outset was the creation of the Department of the Director General of National Service. This Department had one virtue not possessed by any of its predecessors in the difficult field of man-power. It was definitely executive, but there, it is to be feared, its virtues ended. It was born when the Trade Card Agreement was in being. The Department—new to the thousand complexities with which the existing Departments had grown up—strange to the public atmosphere in which labour problems invest themselves, found its task an impossible one.

¹ The War Munitions Volunteer Scheme is fully discussed in Chapter XI.

The Department had no means of regulating the flood of difficulties that beset the question of recruiting and exemption. They never had possession of the two keys that locked and unlocked the head waters. One key was the control of civilian labour, the second was the control of labour for the Forces. The first was handed to the Department in fragments, and the second was not handed to it at all. A National Service Ministry to carry out its functions adequately must be in a position to take a complete survey of the man-power of the country, to classify it as scientifically as things human will permit of classification, and then, under the instructions of the supreme strategic authority, to direct the power thus classified into the appropriate channel. The only approach to any of these attributes vested in the new Department was the assignment to it of the Reserved Occupations Committee to which reference has previously been made. This Committee—which performed invaluable service throughout the War—was, however, limited (a severe limitation) to dealing with the protection of non-munitions trades. Therefore, apart from these trades the Ministry of National Service had to rely for its classifications on the work that had been performed and was being performed by the existing Departments.

Moreover, in the critical months at the beginning of 1917, when the principles which would have to dominate man-power distribution were beginning to assert themselves, the National Service Department was engaged in the almost hopeless task of creating an effective local organization. There existed, of course, as the machine for labour supply (the main function of the National Service Department) the Employment Exchanges—originally under the Board of Trade but transferred by the new Government to the Ministry of Labour which it had created. The National Service Department had two alternative courses—one was to take over the Exchanges bodily, the other to leave the Exchanges where they were and create a small effective head-quarters organization which would work through them. In the event, the Department, obsessed by the obvious difficulty of working through machinery belonging to another Department, hesitated between the two courses. On the one hand, it felt that it could not carry out its work without the help of the Exchanges.

On the other it felt (not perhaps unnaturally) that it could not rely upon them alone. Accordingly the Department attempted to set up an organization of local substitution or Man-Power Committees which were in a sense rivals to, though ultimately dependent entirely upon the Exchanges. In order to manage the machine thus dimly created, it was necessary to provide a head-quarters organization on rather a considerable scale. The result was that the Department, severely handicapped and harassed on all sides, was not able to assume and carry out the legitimate functions and duties of a central man-power authority.

The situation in which the nation found itself was such that it could not wait for decisions till the new Department had found its way out of its manifold difficulties. The Trade Card Scheme was, from the recruiting point of view, working even worse than the previous systems of badging. A great attempt to obtain a decision was planned for the spring offensive of 1917, but the numbers of men coming in fell far short of the minimum requirements for military purposes. It became clear that, at whatever cost, some more effective scheme of exemption must be substituted for the Trade Card Scheme. It was to the Ministry of Munitions and not to the new National Service Department that the Army and the Government turned.

5. The Stage of Exemptions based on a Scheduled List of Occupations.

The time had obviously arrived when central administration in respect of exemptions, whether by a Government Department or Trade Union, had broken down. Recruiting and exemption in the concrete are not a general problem : they are a problem of the individual, and the actual work upon which the individual is engaged. Provided that certain broad classifications can be established centrally, it is plain that the detailed work must be carried out locally by people who know the circumstances of the actual man in question. Moreover, there had been two circumstances which had seriously impeded the process of debadging. In the first place, there had been no association of medical examination with debadging, with the result that only too often the debadged man was not physically fit for general service. In the second place, the period of grace provided by

the Military Service Acts had throughout seriously retarded the inflow of recruits. An attempt was now made to remedy all these three defects by the new system.

In the early months of 1917 all previous schemes were abolished in favour of the scheme based on the Schedule of Protected Occupations. This Schedule, though not perfect, perhaps because perfection in the classification of men is not possible, was a considerable advance on the schedule of munitions trades that had preceded it. For one thing it was, unlike its predecessors, based solidly upon an accumulated body of experience gained in the first two and a half years of the War. The Ministry of Munitions, the Admiralty, and all other Departments concerned had learned in a hard school what occupations and sub-occupations were vital. The danger indeed was no longer of ignorance, but of excessive refinement due to an over-minute knowledge. But however that might be, an effective code was established by March 1916. The machinery for carrying out the code was perhaps almost as important as the code itself. It may be noted, in the first place, that it was primarily a Ministry of Munitions scheme. The scheme, in broad outline, provided protection of two kinds. For men engaged on Admiralty, War Office, and munitions work, or in railway workshops, was provided a Scheduled Occupations Certificate if over a specified age or in a medical category below A. Men in scheduled occupations outside of these classes received a 'protection certificate' of a less definite character.

The most important point perhaps was that for statutory certificates under the Military Service Acts had been substituted Administrative Certificates. These certificates could be withdrawn without the period of grace which had applied in the case of statutory certificates. From this time forward it was possible to calculate, with some degree of certainty, what would be the intake of recruits.

The next point of importance was the establishment, throughout the country, of the Munitions Area Recruiting Officers to carry out the new distribution of certificates. These officers actually decided on the claims of men to be retained as coming within the schedules. There was associated with them a system of medical examination, so that wasteful decertification was avoided.

To complete the scheme it became necessary to establish Committees to assist in the difficult and complex problems that the new scheme presented. Eight such Committees and 66 local sub-Committees were set up, consisting of officers of the appropriate Supply Departments and of Trade Union officials. Their business was to investigate and hear appeals against decertification in cases where a man was covered by the schedule.

It was an expensive machine, it was a large machine, but it was a machine, and it worked. But, as was to be expected, its early days were not without their storms. The Trade Card Agreement had been in the nature of a triumph for the Trade Unions over the Military Service Acts. The new scheme swept away that agreement and restored the Acts in more than their original vigour. The step was, of course, not taken without prolonged negotiations with the Trade Union leaders. Once again the leaders showed willingness to face the undoubted facts of the situation. They knew the numbers of the recruits required by the Forces, they knew how far the intake was falling short, and they knew that in no circumstances could the flow be materially quickened while the Agreement remained. At the same time they were bound to remember that the doubts and suspicions that had led to the Sheffield strike of 1916 had, so far from disappearing, increased. It would have been easy enough for them to please the Government by facile agreement, but such agreement would, as ignoring the feeling in the country, have been fair neither to the Government nor to their members. Nevertheless the Trade Unions did agree, though with reluctance, to the new scheme. It is possible—and even likely—that it would have been accepted without trouble in the country if, simultaneously with its appearance, there had not been introduced into Parliament a new Munitions of War Bill, which extended statutory dilution to private work.¹ The result of the two measures taken together was a general engineering strike in May 1917, perhaps the most serious strike that the Government was called upon to face during the War.

It is, of course, difficult accurately to diagnose the motives which produce a strike. It is, however, probable that the men

¹ An account of this is given in Chapters VIII and IX.

in the country were prepared to accept the further encroachment upon their liberties dictated by the new schedule. They were not prepared to agree that the private employer should have the right to insist on the continuance of his private work at the expense of the sacrifice of Trade Union privileges. Whatever the cause, as a result of the strike, the provisions of the Bill dealing with dilution on private work were temporarily withdrawn, never to be re-introduced. The schedule of Protected Occupations, on the other hand, was firmly established, and held the field till the crisis of March 1918 precipitated the new principle of what was called 'the clean cut'.

Before that date, however, there had been a further development. In August 1917 the nearest approach to a central labour authority on the civilian side that the War produced appeared in the reconstructed Ministry of National Service. The need for its creation was no less acute than at any period in the War. Even under the revised Schedule of Occupations the necessary recruits demanded for victory were not coming in. It was plain that the decision hoped for in 1917 must be postponed till 1918, and, in the face of the Russian collapse, it was by no means possible to contemplate 1918 with overwhelming optimism. Side by side with the bitter need for recruits, the need for home production had never been more acute. The day to day developments of the campaign threw an ever-increasing strain on home production. If shells and guns were adequate, then the problem concentrated itself on aeroplanes, tanks, and poison-gas. The demands of the Army grew and branched out incessantly. Nor was this all. The German submarine campaign was beginning to make itself acutely felt not only in the matter of food-production but in respect of the supply of raw materials. And, further, the ever-increasing financial strain of the War rendered it more imperative than ever that the export trade should be maintained at the highest point possible.

6. The Ministry of National Service and the 'Clean Cut'.

The new Ministry of National Service was set up in August 1917 with the following instructions from the War Cabinet:¹

¹ See War Cabinet Report for year 1917, Cd. 9005.

- (1) To review the whole field of British man-power and to be in a position at all times to lay before the War Cabinet information as to the meaning, in terms of man-power and consequential results, of all Departmental proposals put forward to the War Cabinet and referred to the Ministry for its consideration and for an expression of its opinion.
- (2) To make arrangements for the transfer from civil work, not declared by the War Cabinet to be of primary importance, or if ordered by the War Cabinet from the Navy, Army, or Air Service, to urgent national work, of such numbers of men as may be declared by the War Cabinet to be necessary to reinforce the labour already engaged in that work.
- (3) Subject to the approval of the War Cabinet, to determine, in consultation with the Departments concerned, the relative importance of the various forms of civil work, and to prepare, from time to time, lists of reserved occupations, with such age and other limitations as may be necessary to secure the maintenance of essential public services and the preservation of a nucleus of civil occupations and industries.
- (4) Within numerical limits imposed by the War Cabinet, to obtain for the Army, Navy, and Air Service such men as can be withdrawn from civil life without detriment to the maintenance of essential public services and the due performance of the civil work necessary to maintain the Forces at sea, in the field, and in the air, and any nucleus of civil occupations and industries declared by the War Cabinet to be necessary.
- (5) In connexion with Function (4), to determine the physical fitness of men available or possibly becoming available for withdrawal from civil life.
- (6) To make arrangements for the provision, where necessary, of labour (male and female) in substitution for that withdrawn from civil life in accordance with Function (4).
- (7) Any other duty which may from time to time be allocated to the Ministry by the War Cabinet.

In addition there was set up, under General Smuts, a War Priority Committee of the War Cabinet consisting of the First Lord of the Admiralty, the Secretary of State for War, the Minister of Munitions, the Secretary of State for the Air Service, and the Minister of National Service, who were to decide what were the most pressing industrial needs, and to give instructions to the Minister of National Service as to the channels into which labour should be directed.

It would have been difficult to devise a better charter for a central man-power authority. Through the War Priority Committee the Minister was in full possession, from day to day, of the information which enabled him to decide where and when men should be sent. The old feud between fighters and workers was at last composed by bringing recruiting for both services under a common control. The executive Departments concerned with labour supply were brought under authority and into ordered relationship. It was an admirable charter, but for complete success or even considerable success it arrived three years too late. Nothing done in 1917 could repair the ravages that the early recruiting campaigns had worked. Nothing in 1917 could wipe out the long and troubled history of exemptions and withdrawal of exemptions, and the painful memories of that history in the minds of Labour. Nothing could drive out from their formidable entrenchments Departments like the Ministry of Munitions and the Admiralty, with at least two years of experience of the problems to which the new Department was to address itself.

But, if late, the Ministry was not altogether too late. Apart from the establishment of a new system of medical categories before he embarked on his first main task of analysing and advising upon the man-power situations, the new Minister had to make two vital decisions on questions of machinery—the first in relation to the executive Departments, the second in relation to the Employment Exchanges. For on these rocks his predecessor had foundered. The new Minister did not attempt to make himself the general executive authority, but preferred to remain the co-ordinating executive authority. Accordingly he left to the Ministry of Munitions, and to the Shipyard Labour

Department of the Admiralty, the duty of diluting the firms which fell within their sphere, and of providing the quotas of men for the Forces required from each source. But each Department was responsible to the Minister of National Service for seeing that the quota was forthcoming as and when required. Again the Minister of National Service neither took over the system of Employment Exchanges nor set up a rival system of his own. He worked through them, and to avoid the conflict with this organization which had so harassed his predecessor, he took over the Chief Executive Officer of the Exchanges and made him Director General of National Labour Supply.

This decided, the Minister addressed himself to the root problem of the Schedule of Protected Occupations all over again. Recruits were still inadequate. What new device was possible to expedite the flow? All through the critical months of the end of 1917 the problem was explored. A new registration scheme enabled the Minister to take a reasonably accurate survey of the ground. His figures proved conclusively that for the offensive of 1918 the old individual system of exemption would no longer serve. The solution was bulk release.

As early as April 1916 the Reserved Occupations Committee had introduced into their list of that month the principle of an age limit. This was a vital departure. It made it possible to differentiate between one occupation and another by imposing a higher age limit for a less important than for a more important occupation. It also became admissible to give a slight measure of protection, which might nevertheless be very valuable to the trade concerned, to an occupation which it would have been quite impossible to protect if nothing but an absolute reservation had been possible. From this date forward the age basis had been progressively used. Trades were thus called upon to release one quota after another of men by taking slices off the reservations, carefully adjusted for each occupation according to the situation of the trade at the time and the relative ease likely to be found in providing substitutes. By this means the public mind had become gradually accustomed to the principle of a 'clean-cut' release, i. e., a general withdrawal of exemption from an occupation, because the cumulative effect of the work of the Reserved

Occupations Committee was to indicate that the fact of being in a certified occupation was not of itself a complete protection. But the Committee had adopted another principle of equal importance for the decision now to be taken by the Minister of National Service and the Government. On their July list of certified occupations they had introduced as a list for exemption the application of a medical standard. The Army Council had agreed, under this arrangement, to take only men passed as fit for general service (Class A men) : those who fell below that standard, even though they were not within the age limits stated in the list, were henceforth entitled to be treated as in a certified occupation.

Having this ground to work on, and in consultation with the Reserved Occupations Committee (now attached to the Ministry of National Service and strengthened by the addition of one or two representatives of employers and employed), the Minister proposed the complete withdrawal of exemptions from occupations, thus avoiding the long delays and heavy wastage resultant upon the Appeal Tribunal procedure. Coupled with this was the proposal that only men whose medical category was Grade 1 (old Category A) should be taken out of certified occupations.

The War Cabinet not unnaturally viewed this conclusion with doubt. It might be inevitable, but they could not lose sight of the events of the preceding May when the Schedule of Protected Occupations had been introduced. If it had been difficult to count on the undivided support of Labour then, it was even more difficult now. The campaign of 1917 had been cruelly disappointing. Moreover, pacifist tendencies had begun to be noticeable. The Government might, therefore, well hesitate before putting the matter to the touch.

But by the end of 1917 the facts permitted of no further delay, and the Minister of National Service was instructed to negotiate the introduction of a system by which exemptions could be withdrawn in bulk for certain ages by Withdrawal Orders. These negotiations—perhaps the most difficult of any with Labour in the course of the War—were carried through to a successful conclusion, and the result was embodied in the Military Service Act of February 1918, which gave power to make the necessary Orders.

The change was not achieved without labour difficulties. The Coventry strike of the spring of 1918 has been attributed to various causes, but probably the true cause was a protest against the new scheme quite as much as against the licensing orders¹ of the Ministry of Munitions which were more generally regarded as the cause. The German offensive of the 21st March 1918, however, was a conclusive argument so strong that the Government actually passed a further Act in April 1918 raising the age limit for compulsory service to 51.

Two Withdrawal Orders were made under the Act—one in April, the second in June. These cancelled exemptions, irrespective of age, in a large number of trades and occupations, including most of those in the scheduled list, though the withdrawals in that case were confined to men in medical Grade 1 (in the new system of categories instituted by the Ministry of National Service).

The final list was issued in September 1918. The second Military Service Act of 1918, passed in April, soon after the great German offensive had begun, raised the military age to 51 and empowered the Government, by Royal Proclamation to cancel certificates of exemption granted not only on occupational but (with certain exceptions) also on personal grounds. This Act rendered imperative a revision of the Certified List, which had long been overdue.

The revised list ultimately came into force on the 26th September 1918. A large number of industries which had hitherto had a very limited or no protection were included in the list, though generally with only a minimum reservation; and a reservation for 'all other classes of workmen', which had been exceptional in earlier lists, was now inserted in almost all industries. These additions were rendered necessary by the extension of the military age to 51, as, without some such protection, many businesses which had hitherto struggled on with a minimum staff, in the anticipation of being able to keep their men over 43, would have been brought to a standstill. It was for this reason also that specific reservations for directing heads of businesses, and for managers and departmental managers, were added to the general

¹ For description of these Orders see Chap. XI.

reservations, as a very large proportion of men occupying responsible positions such as this are of ages between 43 and 51. Especial attention was given to the food production and distribution trades.

It should, perhaps, be added that it was fully recognized at the time that a drastic revision, in the way of narrowing the field of reservation, might very probably have been necessary early in the New Year, in anticipation of the spring campaign, if the War had continued. At the moment, however, the first necessity, in view of the arrival of large American reinforcements and of the more favourable turn which the War had already begun to take, appeared to be the restoration of confidence to industry, which had been severely shaken by the effect of the two Military Service Acts and especially by the raising of the military age to 51.

The effect of the measures taken by the Ministry of National Service, so far as recruiting was concerned, may be summarized in the statement that from the inception of the Ministry to the Armistice 70,000 men were posted to the Colours—no small achievement when man-power had already been stripped to the bone, and when it is remembered that the production of munitions in 1918 far exceeded that of any previous year and that food production was increased by some 19 millions of quarters.

CHAPTER V

THE NATIONAL FACTORIES AND THE EMPLOYMENT EXCHANGES

AFTER limitation of recruiting, reinforcement of labour. The method of this reinforcement cannot, however, be understood until a brief description has been given of the reasons for and the inception of the system of National Factories, and of the machinery of reinforcement provided in the Government Labour Exchanges.

It is not necessary for our purpose to discuss in detail the creation of the national factories. This affair, which has some of the quality of the *Arabian Nights*, falls rather to a writer whose business it is to deal with the production of munitions. From the labour point of view the matter has a rather more prosaic significance ; it provides the solution of the question which perplexed those responsible for labour supply during the first year of the War—Should the men be brought to the work, the work to the men, or should the two processes be adopted side by side ?

At the outbreak of war, as already stated, the supply of munitions (including the manufacture of warships) was carried out by the Government Dockyards, Woolwich Arsenal and the Enfield Small Arms Factory, the Greenock Torpedo Factory, and about a dozen great private firms such as Vickers, Armstrongs, Haddocks, Firths, the Birmingham Small Arms, Coventry Ordnance, and Kynochs. Until the full magnitude of the problem was appreciated it was plain that the only effective means of increasing output was to reinforce these establishments with labour to the maximum limit of absorption. No other establishments were familiar with the specialist processes involved in the manufacture of guns, shells, and high explosives, and it was urged with some show of force that the atmosphere of crisis was not the one in which to educate new manufacturers in this work.

Accordingly attention was first directed to meeting the demands of the Government arsenals and of the established private manufacturers of munitions. Until December 1914 the

principal functions of the Board of Trade Labour Exchanges in the supply of labour for munitions was to divert it as far as possible to the establishments already mentioned. Thus in the first five months of the war (August to December 1914) 18,000 workpeople of all types were supplied to these establishments, where, however, there still existed an unsatisfied demand of 6,000 armament workers. By the end of the year all these centres of production were at one in stating that the limiting factor in every case was the supply of labour.

While the Board of Trade, through their Exchanges, had done their best to meet the demand for labour, they were already conscious, during the later months of 1914, that the method of concentrating labour as opposed to that of spreading contracts was open to grave doubt. They were supported in this view by the happy results which had attended the opposite plan in France. In that country co-operative groups of engineering employers had been set up in the various centres of production under the general supervision of one especially experienced employer. Firms of all types in the engineering trade had been converted into manufacturers of munitions with admirable results. The Board of Trade had succeeded in organizing a group on this model in the saddlery trade, and it was their view that a similar scheme might well be adapted to the output of offensive munitions.

This idea did not, however, commend itself at first to those responsible for armament production, and it is the fact that many engineering firms, when presented with the difficulties of the manufacture, say, of the delicate mechanism of the fuse of a shrapnel shell, declared themselves unable to produce it. Moreover, it must be remembered that by an extensive system of sub-contracting the main munitions firms themselves were constantly enlarging the area of production. But by the end of December 1914 the shortage of munitions began to impose on all concerned an earnest reconsideration of the whole position.

For the moment it was decided that the whole energies of the Board of Trade should be directed to reinforcing the armament firms. A priority list was supplied to the Department, and they were instructed, in January 1915, to undertake a campaign to induce engineering employers engaged in commercial work to

spare skilled men for armaments. The inducement to employers to give up men was patriotism, and in the case of the men the following considerations were advanced as an additional stimulus :

1. The standard rate of wages for the area.
2. Six months guaranteed employment.
3. Free railway fares to the work and return fares if discharged as unsuitable during the period.

A letter, urging the release of men upon employers, was issued in the middle of January by the President of the Board of Trade. By the end of January, as against an unsatisfied demand for labour by the armament firms of 9,103, the Board of Trade had prevailed upon private employers to transfer 942 men.

This result must not be taken as a criticism of the Labour Exchange machine. That machine, as Mr. Runciman (then President of the Board of Trade) stated in the House of Commons on the 10th January 1915, had since the outbreak of war transferred not less than 100,000 workpeople to engagements on national work. The causes lay deeper than any mechanical fault. Employers in the engineering trade all over the country were putting forward increasingly urgent demands that, instead of sacrificing and disorganizing their plant and labour, they should be allowed themselves to undertake the manufacture of munitions. In a word they asked that for the policy of concentration should be substituted that of the wide distribution of contracts. Nor did the private employers wait for an official encouragement to attempt to put their views into practice. As early as January 1915 a group of Leicester manufacturers met together, and in February were laying down a scheme whereby the efforts of individual firms could be combined and co-ordinated. Similar schemes on the Leicester model were bruited at Hull, Bradford, Leeds, and other northern towns. The Leicester group brought their scheme to fruition first, and on the 30th March obtained an order from the War Office for 1,000 4·8 inch shells per week. This was, in effect, the death-knell of the rival system of concentration of labour.

But the system died hard. While the Board of Trade were actively pushing the campaign for transfer of men from commercial to munitions work, they were simultaneously canvassing the possibilities of the rival scheme. The Department proposed a

survey of the engineering trade, the object of which was to discover whether additional manufacturing capacity was available, suitable for the supply of parts or the whole of various types of munitions. This survey, which was projected in January, was in fact not carried out, but in March a census of machinery was, at the request of the War Office, undertaken by the Home Office with much the same object. In the meantime, although the War Office had not felt that the survey of the engineering trade would serve at that moment any particular purpose, they agreed to the exhibition by the Board of Trade of the following articles : Shells 13 pdr., 15 pdr., 18 pdr., 4·8 inch, and Fuses No. 100 in London, Birmingham, Coventry, Leeds, Sheffield, Manchester, Liverpool, Newcastle, and Glasgow. The object of this exhibition was to bring the articles to the notice of engineering firms all over the country, and to discover whether they were able and prepared to undertake their manufacture. The response was widespread, and the time had now arrived for the effective application of the new principle of spreading contracts.

The Government had announced in the House of Commons, during March 1915, that they were in search of a man of 'push and go' to accelerate the production of munitions. The correspondence which followed this announcement appeared to indicate that the country contained an almost unlimited number of men entitled to this description. The Government, however, decided not to avail themselves of any of the applicants, and a few days later Lord Kitchener appointed Mr. G. M. Booth to a position in relation to munitions output, which led the public to assume that he was the man to whom the description applied.

Nor indeed were the public far wrong. Whether it was Mr. Booth or the times that possessed 'push and go', from this time forward things in the world of munitions manufacture were pushed and did go. From the outset Mr. Booth declared himself on the side of the policy of wider distribution of contracts, and it was his personal influence which clinched that policy by giving the Leicester group the order for 1,000 shells per week already mentioned. This, however, was only the beginning. On the 7th April it was announced that Lord Kitchener had appointed a Committee 'to take the necessary steps to provide

such additional labour as may be required to secure that the supply of munitions of war shall be sufficient to meet all requirements'. In view of the rather remarkable wording of the terms of reference to this Committee, its actual personnel becomes a matter of some interest. It consisted, under the Chairmanship of Lord Kitchener, of :

Major-General Sir Stanley Von Donop, M.G.O. (Master-General of the Ordnance).

Sir Herbert A. Walker, Chairman of the Railway Executive Committee.

Sir Algernon Firth, President of the Associated Chamber of Commerce.

George M. Booth, Esq.

Allan G. Smith, Esq. (now Sir Allan Smith), Secretary of the Engineering Employers' Federation.

The terms of reference appeared to indicate that the object of the Committee was to increase production on the old plan of reinforcing the armament firms. The personnel of the Committee, however, suggested the opposite. For while it might be possible that the Master-General of the Ordnance would incline to favour the traditional method, the inclusion on the Committee of a representative of the general commercial community in Sir Algernon Firth, and of the general engineering trade in Mr. (now Sir) Allan Smith, appeared to show that the other view had in fact been provided for.

The other view, as events showed, had not only been provided for, but was certain to prevail. The Committee did indeed make a half-hearted attempt to repeat the Board of Trade campaign of January by transferring men in the London area to the Government arsenals and the works of Messrs. Vickers from private production. This campaign, starting about the beginning of April and lasting five weeks, secured the release of 50 men. At the same time, and with the same measure of success, inquiries on this basis were being carried out by Sir Percy Girouard in the North-eastern Area.

But, while this unproductive campaign was in progress, the Committee were not wasting time. They were, with remarkable energy and success, laying the foundations of the scheme of

co-operative manufacture, which, culminating in the national factories, won the engineers' side of the War. This Committee were not, however, left to carry this task through alone. A week after their appointment Mr. Asquith, as Prime Minister, announced in the House of Commons that a further Committee had been appointed under the Chairmanship of the Chancellor of the Exchequer (Mr. Lloyd George) 'to ensure the prompt and most efficient application of all the available productive resources of the country to the manufacture and supply of munitions of war for the Navy and Army'. Its personnel included, in addition to the Chairman :

Rt. Hon. A. J. Balfour, M.P.	Mr. Harold Baker, M.P.
Rt. Hon. E. S. Montagu, M.P.	Sir Frederick Black.
Mr. G. M. Booth.	Admiral Tudor.
Major-General Von Donop.	Mr. Arthur Henderson, M.P.,

and later Sir H. Llewellyn Smith, Mr. (now Sir William) Beveridge, and Major-General Sir Percy Girouard were added to the Committee. The relationship of the two Committees caused some confusion in the public mind and even gave rise to the conjecture that, having regard to the marked difference in the terms of reference, the two Committees were the result of conflicting lines of policy. These doubts were, however, allayed by a statement made in the House of Commons by Mr. Lloyd George on the 21st April. He explained that his Committee laid down the lines of policy which were carried into execution by the War Office Committee. This was a fair description of the state of affairs. In fact the Chancellor's Committee was playing the rôle of Minister responsible for policy, while the War Office Committee tended to fulfil the part of an executive Department. The two Committees, in the rather cloudy form inherent in Committees, formed together the germ of the Ministry of Munitions. It has been said that Mr. Booth from the outset favoured the plan of distribution of contracts as against that of concentration ; in that he was strongly supported by the Treasury Committee, as was made clear by Mr. Lloyd George in the speech already mentioned.

The stages which led from the old policy of concentration, through the new policy of concentration plus distribution, by way of national factories to culmination in the Ministry of Munitions,

followed each other with breathless rapidity. The problem of getting the munitions was being simultaneously and vigorously attacked by the Treasury Committee, the War Office Committee, the War Office, the Board of Trade, Mr. Booth's rapidly improvised central organization, and by the Engineering Employers' Federation. So many and such active agents were bound not only to throw up new ideas and methods continuously, but almost to throw them at one another. And in fact the period between Mr. Booth's original appointment in March and the creation of the Ministry of Munitions in June produced almost as many conflicts of jurisdiction as ideas. But the conflicts tended to disappear in the Ministry of Munitions ; the ideas changed the whole military situation.

The first step taken by the Booth Committee was an attempt to combine the old and new methods by dividing the country into A and B areas. In the former, i. e. areas of 20 miles round one of the established armament-producing firms, the policy of transfer and concentration of labour was to be pressed forward with increased vigour. In the latter, where no armament firms existed, attempts were to be made to combine engineering firms for munitions production. This distinction into differently classified areas carried within itself, from the outset, the probability of failure. It was likely, on the one hand, that the big armament firms would not rest content with a recruiting area of 20 miles circumference unless the Government were prepared to use their powers of closing down factories under the Defence of the Realm Act with a vigour which was bound to cause grave hardship both to employers and employed. On the other hand, it was obvious that the very areas in which there were great armament firms (e. g. London, Birmingham, Sheffield, &c.) were the centres from which there was most to hope in the direction of independent munitions production. The difficulties of the discrimination of the areas in practice became so obvious that by the end of April it had, to all intents and purposes, been abandoned. By that time the War Office were prepared to place contracts for shells with groups even in 'A' areas.

Sir Percy Girouard, who was appointed by Lord Kitchener in the middle of April to advise him, in conjunction with Mr. Booth,

on the output of munitions, gave the death-blow to the idea of discrimination. His first plan, submitted to the Treasury Committee, involved mapping out the country into areas with an experienced superintendent for each area who would work through managers responsible to him for munitions production in the selected engineering works. This plan, however, was short-lived, and was immediately followed by the first scheme of national factories, destined to revolutionize the munitions production. The speed at which things were progressing at this stage will be gathered from the following dates : On the 20th April Sir Percy explained his National Factory Scheme to the Treasury Munitions Committee. On the 3rd May the local Leeds Committee of manufacturers put forward a scheme for the establishment of a national shell factory at Leeds. On the 7th May the scheme was submitted to the Treasury Munitions Committee and then approved.

It is not necessary for our purpose to trace the course of events further, beyond pointing out that when once the principle of national factories was approved, in conjunction with and not to the exclusion of group arrangements and general spreading of contracts, the day of Committee control was over. On the 28th April Sir Percy Girouard and Mr. Booth had been appointed to give effect to Sir Percy Girouard's scheme for national factories. On the 26th May the Prime Minister (Mr. Asquith) announced the creation of a Department, to be called the Ministry of Munitions, to carry on the work thus initiated, and on that day Mr. Lloyd George installed himself at No. 6 Whitehall Gardens as the first Minister of Munitions. From the point of view of labour supply, these events are interesting, not so much as proof of the miraculous British habit of succeeding by sheer force of will without the intellectual pre-conceptions believed to be usual in other countries, but as determining the all-important question of the places to which the available supply of labour was to be directed. As long as the Board of Trade were faced with the almost hopeless task of persuading unwilling employers to release essential employees, the problem was one of insuperable difficulty. With the appearance of the group system and the national factory, the difficulty by no means disappeared. For with a large net shortage it never could disappear, but at any rate it could be approached with the

likelihood that both employers and employed would lend their willing aid, and this expectation was not disappointed.

The subsequent history of the creation of national factories is not (if one may be permitted to use the phrase) so much a problem of labour as of belief. The Leeds factory was the first in a tremendous list which embraced in their operations the manufacture, not only of every dimension of shell in undreamed-of quantities, but of practically every form of munitions equipment, including aeroplanes, high explosives, steel, and poison-gas. A whole countryside, as in the case of Gretna, became a factory ; a foreign town grew up in the Belgian works at Birtley. But these affairs fall within the province of another chronicler ; we are restricted to the more pedestrian task of describing how the men were found for these palaces of industry that almost seemed to have been provoked by a genie overnight. The actual details of reinforcement will be described in detail, but it is necessary to give, in the first instance, a short account of the system of Employment Exchanges upon which the whole structure of supply rested.

The Labour or (as they were rechristened during the War) the Employment Exchanges came into existence as the result of the Labour Exchanges Act, 1909. The necessity of some national system of bringing labour and employer together without the waste of aimless tramping had long been canvassed, had been particularly urged as a means of mitigating unemployment in Mr. (now Sir William) Beveridge's book on 'Unemployment', and was unanimously recommended by the Poor Law Commission (1909).

In the earlier chapters of this book the vital importance for war purposes of a scientific classification of national man-power has been emphasized. But if this is important, it is almost as important for the nation to possess a machine which, in complete possession of the industrial needs of every part of the country, can move quickly to the place, where it is required, the appropriate classes of labour. Nor is this all. If the machine is to function with success, it must have acquired an intimate experience of the amount and classes of labour approximately required to produce a certain output. At a time when the total supply of labour is inadequate, it is easy to see how valuable will be a system which

provides a means of assessing, analysing, and correcting the inflated demands for labour which the employer may make, naturally eager to have the largest possible supply at his disposal. The experience necessary for this delicate work of adjusting supply and demand cannot be acquired in a day. It involves a general knowledge of a great number of industries and the processes that go to make them up. It involves a detailed knowledge of the very large number of occupations that compose the intricate labour organism of every business. It involves a working knowledge of the Trade Union and other working rules which govern a man's right of employment. It involves a knowledge of wage conditions and other conditions of work. And, above all, it involves the ability to decide from a man's appearance whether, quite apart from his paper qualifications, he has the physical strength to carry out the particular job in question.

Whatever may be the value of the system of Employment Exchanges in peace time, there are no arguments against their existence in war time. Indeed, it would be true to say that if the Exchanges had not existed before the War, the War would have invented them. Let us for a moment consider how the situation might have developed at the outbreak of war if no Exchanges had existed. In the early days, when there was a widespread belief that general unemployment was inevitable, there would have been no scientific means, other than those provided by the necessarily limited Trade Union percentages, of gauging unemployment. Later, when manufacturers of munitions began to complain of the effects upon production of recruiting, there would have been no certainty that all the available unemployed persons were absorbed and no possibility therefore, at any rate until it was too late, of convincing the recruiting authorities by the hard logic of figures that indiscriminate recruiting must stop. When the total shortage of workmen had at last been established, every manufacturer would have had to do his best to outbid his competitor in a struggle for any labour upon which he could lay his hands. It would not have been possible to analyse the available labour supply centrally and then to attempt to regulate the flow evenly so that the rival claims of various producers of munitions were met with some show of regard to their rival needs.

When it became necessary to introduce foreign and colonial labour, to have special mobile bodies of labour, and to dilute the existing labour, all these difficult problems would have been insoluble if their solution had been left to the individual manufacturers in fierce competition with one another. The inevitable result of all this would have been to add to the confusion caused by indiscriminate recruiting the confusion of an increasing struggle for labour between producers ignorant of whether there was enough to go round, whether it was being adequately used, and whether it was being used for national purposes. In fact the truth is that just as the War after one year produced the Ministry of Munitions, and after two produced the Ministry of National Service, so it would after a decent interval have produced the Exchanges. But the Act of 1909 had anticipated the War.

The actual services rendered by the Exchanges will be indicated as we describe the work involved in the introduction of foreign and colonial labour, the various munitions and other volunteer schemes, the release from the Colours, and dilution. We have already, in an earlier chapter, indicated that they played no unimportant part in providing the labour for getting the Expeditionary Force off up to scheduled time. We have shown, in this chapter, that they played a considerable part in helping to frame the policy in respect of national factories. Here it will be enough to indicate, in the shortest possible way, what was the organization of the machine that acted as the basis of labour supply throughout the War.

It has been stated that the Exchanges were established as a result of the Act of 1909. Their organization was tripartite from the beginning. There was, in the first place, the general directing head-quarters in London. The country was mapped into divisions with a divisional head-quarters in each, and in the principal towns were set up the Exchanges—the actual operating part of the machine. The Exchanges existed to bring employers and employed together, not merely in the same town, but in different towns. They had a registration machinery for employers and applicants like any other employment agency. The fundamental distinction between them and the other agencies was their national character.

At the outset the Exchanges reposed upon a purely voluntary principle. Only those who found them useful used them. But the number required grew rapidly from the 61 established immediately after the Act in February 1910 till it became 272 in February 1912, two years later. At this point the first Insurance Act of 1911 came into operation and introduced a new element into their machinery, since workmen applying for the contributory unemployment benefit provided by Part II of the Act were required to attend at the Exchanges to claim it. The object of this compulsory attendance was to secure that workmen unemployed should be given an opportunity of offering themselves for any suitable employment that might be available. To meet this new obligation the Exchanges had to be largely increased, and in February 1913 they numbered 425.

Part II of the Insurance Act of 1911 applied only to the seven trades that had been most subject to unemployment. The trades in question were building, works of construction, engineering, ironfounding, shipbuilding, construction of vehicles, and saw-milling. All the workmen in these trades were required to enrol under the scheme, and all employers in the trade were required to see that workmen employed by them were so enrolled, both employers and workpeople paying a weekly contribution against the benefit payable during a specified period of unemployment. Putting on one side the social effect of these arrangements, they had, from the point of view of war organization, an entirely unexpected importance. Two of the key trades of the War were engineering and shipbuilding. As a result of the passing of the Insurance Act, the numbers, classes, and even the distribution of the workers of these trades were known with accuracy. Moreover, the Exchanges had acquired a special and intimate acquaintance with the labour engaged in these trades and had formed, in many cases, close association with the employers. When, therefore, it became a matter of great national importance to make the fullest and most economical use of the labour in these trades, the experience acquired during the years between the setting up of the Exchanges and the outbreak of war was invaluable. Moreover, a machine actually was in existence which could present from day to day a clear picture of the demands for

labour from all parts of the country, and the possibility of satisfying the demands. It presented the G.H.Q. of civilian production from the outset of the War with exactly that scientific classification of man-power for their purposes, which was painfully sought for and never completely attained by the authorities responsible for the control of the whole man-power of the nation. As a direct result of the existence of the Exchanges the needs and means of supplying the needs of industry were known, and what was more, a means was in existence by which the needs could be tested.

CHAPTER VI

REINFORCEMENT

THERE were two ways of reinforcing the supply of munitions labour. The first was by net additions from outside, the second consisted in making a fuller use of the existing supply as well as of any net additions that had been made to it as a result of the use of the first method. Net additions could be anticipated :

1. From that part of the national man-power not engaged on munitions work or other work vital to the national safety, i.e. :
 - (a) Men engaged on unessential private work.
 - (b) Elder men who had left industry but were still capable of doing useful work.
 - (c) Boys of an age below that at which they normally entered industry.
 - (d) Women who had either not previously been industrial workers or who had worked in some occupation unessential during war, i. e. private domestic service.
2. From completely fresh fields, i. e. :
 - (a) Men of suitable industrial experience from the British Dominions.
 - (b) Alien workmen with the necessary qualifications.
 - (c) In the later stages of the War, enemy prisoners who were physically fit.
3. From men returning physically unfit from the Army, but not necessarily unfit for industry, and from men withdrawn from the Services as being of greater value to the nation in civilian production than in the fighting line.
4. By training for skilled or semi-skilled work persons not previously in possession of the necessary skill or experience.

The increased use of available resources—thus extended—is, in fact, the general problem of labour regulation as faced by the

successive Munitions of War Acts. It implies first that work shall as far as possible be continuous, which means that labour disputes, with the consequent cessation of output, shall be reduced to a minimum. In the second place, it implies work thus rendered continuous shall be carried on with the greatest possible vigour and intensity. This means, first, that the longest hours compatible with physical efficiency shall be worked ; secondly, that during these hours the maximum energy shall be put out. This in turn produces a necessity for regulating discipline and preventing lost time. Thirdly, it implies the necessity for bringing the available labour to the point where it is most required from time to time, and keeping it there. Fourthly, it implies that all restrictions artificially tending to limit output shall be removed, which means the abolition, first, of Trade Union rules designed to regulate the amount produced by individual workmen ; secondly, the introduction of new classes of labour on work from which these classes were previously excluded—in a word, dilution. Fifthly, it implies securing to labour reasonable conditions of employment, which means attention to welfare in the factory and to housing ; but above all, satisfactory handling of the problems of remuneration. This last problem is at the root of all others, and can only be treated separately by doing some violence to the historical sequence of events. But it is in itself so complex and so difficult a subject that it is probably on the whole less confusing to separate it than to treat it piecemeal, though it will not be possible to avoid frequent reference to it during the description of the steps taken to deal with the other aspects of labour regulation.

Having this general sketch before us of the two methods of reinforcement, we may now consider in detail how net additions to labour supply were introduced, following the order already marked out. It will be necessary, however, to prepare this account by giving a few figures indicating the dimensions of the problem. An examination of returns¹ made by employers to the Board of Trade, periodically during the War, of the numbers and classes of workers employed, gives reasonable ground for the assumption that the total number—covered by these returns—who were throughout the period of the War absorbed by the Forces out of

¹ These returns, initiated in 1914, were known as the Z 8 returns.

a total of 10,610,000 was in the neighbourhood of 4,900,000. This was, of course, not a net loss. Leaving on one side the men who returned to civil work from the Forces (estimated at 700,000), there were the following corrective factors to be taken into account :

(a) Increase consequent on natural growth of male population	695,000
(b) Net immigration	25,000
(c) Boys entering employment earlier than usual	90,000
(d) Older men who deferred retirement or who returned to work after retirement	200,000
(e) Males on strike or lock-out, July 1914	40,000
(f) Males out of work on an average on any one day, July 1914	250,000
Total	1,300,000

The total loss must therefore be reduced, on these figures, to 3,600,000. This, however, is not the total amount to be deducted. The Board of Trade returns covered 10,610,000 workers, but it was estimated by the Board of Trade Statistical Department that the total occupied male occupation in July 1914 was in the neighbourhood of 14,350,000. Allowance must be made in respect of the surplus over the Board of Trade figure of some 4,000,000 net covered by the returns. This allowance, taking this and other factors into account, may reasonably increase the net reduction (excluding men returned from the Colours) to roughly 1,670,000. Thus the net loss to be made up by reinforcement was in the neighbourhood of 3,230,000.

This was the problem of reinforcement, but not the whole problem. For the figures in themselves tell only a part of the truth. They show what industry had suffered arithmetically, but they do not show what it had lost in knowledge, in experience, and in physical strength. Even if these 3,000,000 had been replaced man for man the injury would still have been enormous, but, as will appear, even in mere bulk the wastage was never completely repaired.

The first source of net reinforcement it was suggested to be tapped would be that of men engaged on unessential private work. That this was a legitimate expectation is amply proved by taking the figures of two of the vital groups of industry, viz. metals (including engineering, &c.) and chemicals. In these

two occupations there were employed, at July 1914 and 1918 respectively, the following numbers :

	1914	1918
Metals	1,634,000	1,824,000
Chemicals	159,000	162,000

showing an actual net increase in the first case of 1 per cent. and in the second of 2·1 per cent., although it is known that in both cases more than 30 per cent. of the men engaged in 1914 were drafted to the Colours. This vast transfer was not as to the greater proportion due to Government action, but rather to the operation of the laws of supply and demand, assisted by patriotism on the one hand and by a desire to remain in civilian life on the other.

This diversion of labour from private to public work went through certain well-marked stages. At the outbreak of war the general anticipation was that a period of severe unemployment was likely to set in. The only factories, which confidently anticipated heavy work, were the national munitions factories, the dockyards, and the armament firms. The first movement of all, therefore, in August and September of 1914 was to these centres of production. The Board of Trade Labour Exchanges moved, during these months, some thousands of shipbuilders from the Tyne and the Tees to the southern dockyards. It should here be noted in passing that in this movement special terms of subsistence allowance to the men thus moved were arranged. This is important as laying down, from the outset, the wages principle, never afterwards abandoned, that civilian workers were entitled to wages compensation for special war demands made upon them.

By the end of September it had begun to appear that unemployment was the one evil that the War was not likely to cause. On all sides the demands of the new armies for equipment, housing, and munitions were actively stimulating employment and competition between employers for labour. This competition was particularly noticeable in the wood-working trades. At this time, when the vast hutting camps were in process of construction, employers in their eagerness to obtain the required labour were rapidly advancing rates of wages, and were in fact beginning the process, which no subsequent regulation ever finally destroyed, of bidding against one another.

But higher wages, though they could and did induce men to leave private for national work, could not in themselves produce the skilled men, the shortage of whom was beginning to be acutely felt. It became clear that some steps would have to be taken by the Government to assist in finding the labour required. The controversy as between the distribution of men and of contracts has already been described, together with its ultimate solution. It may be said that one of the largest transfers of labour from private to public work was effected by leaving labour where it was and changing the character of the work.

Thus, in the first place, the attraction of higher wages and war work was rapidly drawing the workman to the place where he was most required ; and, secondly, the places where he was not required were being rapidly reduced in number. In this process the direct action of the State was limited, during the period preceding the first Munitions Act, principally to placing the machinery of the Exchanges at the service of employers, and to attempting to limit what was known as 'poaching' of labour, by means of the Defence of the Realm Regulations.¹ No attempt was made, at this stage, to classify vital and luxury occupations, except within the building trade. In that trade, as the shortage of building labour became acute, the power was taken to forbid the erection of new buildings without licence and to stop progress on buildings in course of erection where this was deemed necessary. The failure of this as an effective means of obtaining further labour was due to two main causes. First, that the amount of labour employed on private building had shrunk rapidly as public building became more attractive both to employer and workman ; secondly, the great bulk of labour not already attracted to public building was scattered, almost in units or in small groups, over all the towns and villages of Great Britain, and was unaffected by this measure. The ordinary economic laws had, in fact, anticipated the Government.

In another attempt, made towards the end of 1914, to expedite this transfer, the Government were defeated by a different obstacle. An unprecedented demand was being made on the woollen mills of the West Riding for khaki cloth for uniforms. These mills, though working at the highest possible pressure,

¹ For full details of this see Chapter XII.

were quite unable to produce all that was required. One of the causes of the failure was a shortage of labour due to recruiting. At the same time the cotton mills of Lancashire were working short time, and actually in danger of closing. It was therefore suggested that as there was some similarity between these two branches of the textile trade, an attempt should be made to transfer a considerable number of workers from Lancashire to Yorkshire. The attempt was a complete failure. In the first place, the similarity of work was only superficial. Even if the Lancashire workmen had been willing to go, and the Yorkshiremen willing to let them come, it is doubtful whether much would have been added to the production, at any rate for some time. But the greater difficulty was the question of wages and Trade Union conditions. Very different wage systems applied to the two industries. Nor was this the only difficulty. The Yorkshire operatives were, in fact, being asked to agree to dilution on a large scale long before the time was ripe to make such a demand. But the failure of the experiment was interesting, in that it drew attention to the fact that, apart from Trade Union restrictions, labour was not generally interchangeable, at least so far as skilled work was concerned. There were, of course, a certain proportion (but surprisingly small) of completely unskilled men whose only qualification was strength. These could, of course, be freely interchanged, but it was not—in the early days—in respect of these that the acute shortage was experienced.

In the meantime the increasing demands of war production and of the Army were inexorably expediting the flow from private to public work. All through 1915, as the shadow of military compulsion deepened, it became obvious that the only protection from that contingency would be to be occupied upon war work. Nor was this the only or the prevailing motive which compelled men genuinely uneasy at the progress of the War to offer themselves for war work. Employers, moreover, in export or luxury trades for which the markets were disappearing were not sorry to be relieved of surplus staff. How far this process had gone, as early as the middle of 1915, was shown by the results of the appeal for War Munitions Volunteers.¹ The appeal was one to men

¹ For a full account of this and other enrolment schemes see Chapter XI.

engaged on private work to place themselves at the disposal of the Ministry of Munitions for munitions work. Over 100,000 men enrolled in a fortnight, and it was subsequently discovered that a very large proportion¹ of these were already engaged on war work.

It may therefore be safely said that the spreading of contracts and forces other than those disposed by the Government directed this transfer. The Government helped only to guide it, by means of the Labour Exchanges, to the points where it was most needed. How little could be achieved by administrative order was indicated by the complete failure and early withdrawal of the Ministry of National Service Orders, issued in 1917, compulsorily closing certain luxury businesses. The Orders could not have been put into operation, partly because the men needed for munitions, whom it was designed to release, had for the most part already released themselves. In the second place, the effect of the closing of these establishments would merely have meant throwing out of work considerable numbers of specialist workers, for whom no other work would have been available.

Of the rest of the untapped fields of man-power indicated under the first heading alone, there were the old men and the boys. The figures have already been given of the estimated reinforcement derived from these sources. The numbers—approaching as they did 300,000—were not inconsiderable. But here again their accession was not—and indeed could not be—due to Government action. No doubt the Government propaganda helped to drive home the national need, but the lure was deeper than the appeal. It drew its strength from the two instincts that might be called self-preservation and self-aggrandizement if one put at their lowest patriotism and a desire for good wages. The Government did not, in fact, attempt, after the National Registration of 1915, to call on the older men to return to industry. It was indeed believed at one time that the Register might be used for this among other purposes. But in the long run it was no doubt felt that the information provided by the form would be too scanty to enable industrial use to be made of it, even if the Government

¹ 60,000 appeals were received against release of men from their existing employment, largely on this ground.

had had any reason to suppose that employers would have been willing to take the older men on the information supplied by the Register.

The next source to be tapped was female labour, and this source was almost unlimited in extent. The actual bulk of the female reinforcement was over 1,500,000. The women employed in industry in July 1914 were 3,276,000, in July 1918, 4,935,000, showing a net increase of 1,659,000. Here, then, was the largest single contribution to the problem. This transfer was of necessity gradual.

The picture of the transfer can best be driven home by setting out, in comparative tables, the distribution of women in the trades covered by the Z 8 returns in July 1914 and July 1918.

<i>Industry</i>	<i>July 1914</i>	<i>July 1918</i>	<i>Percentage increase or decrease</i>
Building	7,000	29,000	+ 320·2
Mines	7,000	13,000	+ 89·2
Metals	170,000	594,000	+ 249·2
Chemicals	40,000	104,000	+ 158·9
Textiles	863,000	827,000	- 4·2
Clothing	612,000	568,000	- 7·3
Food, drink, and tobacco	196,000	235,000	+ 19·8
Paper	147,500	141,500	- 4·3
Wood	44,000	79,000	+ 80·6
Other trades	89,000	150,500	+ 68·4
Government Establishments (i. e. manufacturing Establishments)	2,000	225,000	+ 11,150·0
Agriculture in Great Britain	80,000	113,000	+ 41·3
Local Authorities	198,000	250,000	+ 26·5
Civil Service	66,000	234,000	+ 255·0
Other occupations (including Commerce, Transport, &c.)	754,000	1,372,000	+ 81·9
Total	3,276,000	4,935,000	+ 50·6

In examining these figures the first point of interest is that the reinforcements mainly consisted of women not engaged in industry before the War. It will be observed that the net loss in the two great groups of women's trades, viz. textile and clothing, is in the first case only 4·2 per cent., in the latter 7·3 per cent. This is easily explained when the demands for khaki cloth and uniforms are remembered. But the figures prove to demonstration

that the reinforcements consisted of women new to industry, and to that extent, therefore, of persons who had not only to be trained in the actual occupation, but who had to learn what is meant by a workshop.

In the second place, it will be observed, as was to be expected, that the proportions absorbed by the various trades differed widely. Trades such as building and mines—intrinsically unsuited to women—received only small reinforcement (though in the case of the former the proportion of women employed rose from 0·8 per cent. in 1914 to 6·2 per cent. in 1918). Agriculture, on the other hand—a trade by no means unsuited to women—received only a net addition of 33,000 women (there were, in addition, the temporary women's corps). But this may, without disrespect, be explained as due to agricultural tradition, and may perhaps be regarded as not unnatural. The huge additions in the clerical occupations—Civil Service, local authorities, and commerce—were also in accordance with what would have been anticipated.

This transfer, when it came about, was only in part due to direct Government action. In certain trades, except in so far as the Government were directly responsible for substitution, women came in because they wanted to help, and because they were needed. The number of women absorbed into the local services, including gas, tramways, and clerical services, as between 1914 and 1918 was 52,000. The number of women introduced into finance and commerce totalled 429,000, and in professional occupations 69,000. The number brought into railways, docks, and other transport was 81,000, while the additional numbers in hotels, &c., were 39,000. More than one-third of the total women introduced came in without Government intervention, except in so far as Government propaganda stimulated (as it possibly did) the flow.

As to the remaining two-thirds, the Government was more directly responsible. The Civil Service and Government establishments alone accounted for 168,000 and 223,000 respectively, making a total of 391,000. This, with the numbers not affected by Government action, left about 600,000 to be accounted for, of whom 414,000 were absorbed into the metal trades. How far the methods adopted by the Government produced these results

will be discussed in Chapter IX dealing with dilution. It will be sufficient here to indicate the steps taken before dilution was attempted on a large scale as a result of the Treasury Agreement of March 1921.

Towards the end of 1914 the Government made their first attempt to expedite the introduction of women. The Board of Trade issued an appeal to the women of the country to enrol for war service. The appeal was enthusiastically received by the women, and within a fortnight some 100,000 of all classes and ages had enrolled. In the three months following on the appeal not more than 100 were placed in employment. There were many explanations of the failure. It was pointed out by Trade Unionists that while there was still (as there were) large numbers of ordinary industrial working women out of work it was absurd to call for volunteers. It was pointed out by employers that the need of the moment was not unskilled women but skilled men. And it was maintained by both employer and employed that the type of woman attracted by the appeal was in any event unsuitable. There was no doubt some truth in all these explanations. But the real explanation of the failure was that the prejudice against female labour could not be killed by three months of war.

The only other direct action taken by the Government before the general attack upon the position initiated by the Treasury Agreement were a certain number of small agreements which were being quietly and successfully negotiated by Home Office inspectors during the early months of 1915. These agreements, which were made in such trades as leather, glass, &c., were the precursors of the Treasury Agreement, and pointed the way for it. They provided generally for a limited introduction of women, prescribed the conditions upon which they might be admitted, and, what was even more important, indicated that agreements were for the period of the War only. But it was rapidly becoming clear that a movement on a much more considerable scale was required, and in March 1915 the Government summoned to the Treasury the leaders of the labour world for the Conference which, in its result, was one of the hardest blows struck at the enemy.

This completes the account of reinforcements from sources available within the British Isles. The next field to be explored

was that of Dominion labour. In Australia, Canada, and South Africa, there was a considerable body of skilled engineering labour, and at any rate during the later months of 1914, comparatively heavy unemployment was reported among them. Offers, moreover—often of a very ambitious character—were made from the Dominions, and it was not unnatural that the Government should make attempts to recruit from these sources. The Dominion Governments were in this, as in all other matters affecting the War, more than anxious to help. A preliminary difficulty was, however, pointed out by them, and particularly by the Canadian Government. They suggested that the alternative to bringing men from overseas was to send the contracts to the Dominions. The point of view underlying this suggestion was the same as that of the private employer in England, when asked to release his workmen for munitions work, and the Government decision was ultimately the same in both cases. Just as in this country wider distribution of contracts marched side by side with diversion of men from private to munitions work, so in the Dominions, placing of contracts locally did not prevent the recruitment of a certain limited body of labour.

But the amount was extremely limited, falling far below the most pessimistic anticipations. In fact in all, not many more than 7,000 men were brought, of whom about 5,000 were Australians. This result was disappointing, but it was not due to the lack of the most determined efforts to achieve success. An expert recruiting mission was dispatched to Canada early in 1915 to make arrangements for the transhipment of Canadian labour.¹ The Commission travelled to most of the principal industrial centres of Canada, and themselves interviewed Government Departments, leading Employers' Associations, Trade Unions, and even individual applicants. But though they were able to report that a small number of men would sail immediately, they found that the large expectations with which they had started were far from fulfilled. There were many reasons. In the first place the number of skilled men available was in itself relatively small. Secondly, even that number had been considerably reduced by

¹ The mission was composed of Mr. G. N. Barnes, M.P., and Mr. Windham, an officer of the Labour Exchanges Department of the Board of Trade.

the recruiting sergeant. In the third place there were grave difficulties as to wages and conditions of labour. The Canadian wages approximated to those paid in U.S.A., and were therefore much higher than those obtaining in the United Kingdom. Canadian workmen were naturally not prepared to leave their homes and proceed overseas at what represented a heavy loss to them. The English employers (or the Government) on purely financial grounds might have been prepared to face making up the wages to the Canadian standard. But they had to consider the attitude of the British workman, if differential wages were paid to overseas competitors. Moreover there was the question of Trade Union membership to be considered. It did not follow that British Trade Unionists would be content to work side by side with non-Unionists from overseas, at any rate in workshops in which Trade Unionists had acquired a monopoly.

For all these reasons the mission could not have been a complete success, and in all the circumstances the 7,000 men ultimately recruited from the Dominions was in itself no inconsiderable achievement. The reinforcement from alien labour was more substantial. In all some 75,000 Belgians, Danes, Portuguese, and Dutch were recruited, far the largest proportion being Belgians. The incursion of the Belgians started in full flood after the fall of Antwerp. They came at that stage not as recruits to the labour market, but as a nation in flight. Those who saw the ships arrive at Folkestone, or even the trains come into London, will not forget how war with one brutal gesture can dissipate the appearance of civilization. It is not fortunately relevant to our purpose to describe the sombre flood that flowed out of noisy horror into quiet horror. All that need be recorded is that in the first rush there were great numbers of women and children, who would, in any case, not help to reinforce the labour shortage, that of the men few were of the working classes and fewer still of the types of worker in demand. But it was realized at once by the Board of Trade that, both in the interests of the Belgians themselves and of the supply of munitions, the attempt should be made to find suitable employment for as many as could be employed. Special arrangements for registration were made almost immediately at the Folkestone Labour Exchange, and offices with Belgian, as well as

British officials, were opened at the reception centre of the British Refugee Committee in Aldwych, and at the camps at Earl's Court and Alexandra Park. The first registrations indicated that very few engineers had come over. Nor was this surprising: the chief industrial centres were at Liége and in the districts which the Germans had overrun in the first weeks of the War, and the invaders had taken steps to prevent a wholesale migration. But even so a number of men by no means negligible were discovered and placed with such firms as Vickers, Armstrongs, and Nobels. It was found, however, that the British workman, while no less sympathetic than the rest of his fellow-countrymen, did not relish working side by side with the Belgian. There was a profound difference in working habits which, combined with the difference of language, made team-work almost impossible. It became clear, therefore, that the right way to employ Belgians was either in separate departments or in completely separate factories. The latter course only became possible when a considerable body of men had been collected. But the first course was immediately adopted by the bigger armament firms, and notably by Messrs. Vickers at Erith and Messrs. Armstrong at Newcastle.

In the meantime, as the shortage grew more and more acute, a receiving office for further refugees was established at Rotterdam. Very considerable numbers of men were found here who had worked at the rifle works at Liége, or at the big armament works of Messrs. Cockerill. As the numbers of these men grew, it became possible to contemplate their employment in separate factories. Two Belgian firms established themselves with almost exclusively Belgian labour—Messrs. Pelabon at Richmond and Kryn and Lahaye at Letchworth, and by the beginning of 1916 both these firms were able to take and carry out successfully considerable contracts for shells. Later in this year an even more ambitious and finally more successful scheme was launched when a national shell factory was established at Birtley under the general superintendence of Messrs. Armstrong. Here was created, in the most remarkable way, not only a great producing unit, but what was even more surprising, a complete Belgian community on British soil. A village was constructed in the neighbourhood of the factory, which developed into a small but completely

typical Belgian town. It was governed by a Belgian administration with Belgian police, and if it had not been for the Northumbrian climate the inhabitants might well have believed that they were back in their own country. Of all the by-products of the War, none was more curious than this surely almost unprecedented establishment of a foreign town in a strange country.

On the whole the Belgian labour proved a valuable addition. The work turned out both at the purely Belgian factories and in the Belgian departments of British factories was good. Some controversy raged as to the comparative merits of the British and Belgian workman, but fortunately this did not attract sufficient public attention to prejudice output. It was undoubtedly the fact that the Belgians worked hard, were skilful, and on the whole, law-abiding citizens. One or two disturbances which occurred were due to exceptional circumstances, in one case to the rigours of the northern climate of Kinlochleven, in another to difficulties with the Belgian police at Birtley. But generally it was found that the ordinary British factory regulations were loyally observed.

Of the other alien workpeople the Danes were perhaps the most conspicuous, as being specially employed in connexion with timber supplies. The British supply assumed an almost vital importance as the submarines interfered more and more with the transport of Scandinavian wood and as, with the sinking of ships, bottoms for the carriage of timber were hard to come by. The Danes, like the Belgians, lived in their own quarters and worked largely by themselves. Their numbers were of course less than those of the Belgians, but they served a very useful purpose.

Finally of the aliens, but naturally coming into play later, were the enemy prisoners. The number of these employed from first to last was not considerable.¹ It was realized from the beginning that it would be impossible to employ them side by side with the ordinary British workman, and they were used principally for work on the land, in the limestone quarries, and an unsuccessful attempt to use them was made in the ironstone mines of the Island of Ramsay. Many of the men were peasants, and with the progressive recruitment of agricultural labour the German prisoners

¹ For further account see Chapter XI.

were of considerable service in helping to bring in the record harvests of 1918, when, in spite of all the reduction in the labour available, the following crops were garnered :

	<i>Quarters</i>
Wheat	11,643,000
Barley	7,768,000
Oats	31,196,000
	<i>Tons</i>
Potatoes	9,233,000

Showing an increase over 1916 respectively of

	<i>Quarters</i>
Wheat	4,171,126
Barley	1,157,450
Oats	9,803,000
	<i>Tons</i>
Potatoes	3,754,119

In addition to these steps, such expedients as the use of child labour (during the harvests) and of part-time labour may be mentioned. The former undoubtedly served some real purpose; the latter, from its nature, was doomed to failure. It was sufficiently difficult for distracted foremen and supervisors to train full-time inexperienced workers; it was impossible to train part-time workers. A great deal of public spirit was shown by week-end workers and others who filled in odd days. But except in isolated instances, as at Didcot, where the older members of the Oxford University Senior Common Rooms worked at the big stores dépôt loading and unloading goods, the work served rather to quiet the conscience of the worker than to increase output.

The last serious addition came from men released from the Colours—a number estimated at 700,000. Of these the vast majority (probably not less than 600,000) were in the ordinary way invalidated out. But, as has been pointed out above, what constituted physical disability for the Services by no means had the same significance for industry, and there is no doubt that in these men released from the Colours industry received a reinforcement second only in importance to that of the women. But this reinforcement was of its nature sporadic. Sickness did not necessarily attack men in the trades and of the occupations in which the shortage was most acute, nor did it seek out the most skilled and the most

industrious. This reinforcement therefore, though in numbers far larger, may not have exceeded in actual value the much smaller number of men who were actually reclaimed from the Forces for civilian work.

The task set to the Ministry of Munitions (the authority responsible) of reclaiming these men was a formidable one. In the first place the Army all through 1915, and to a less degree in 1916, needed every fit man for the fighting line on whom they could lay hands. It was to be expected therefore that, even when the authorities at the War Office had been convinced of the necessity of withdrawing men, the process would not be expedited by the authorities on the field from the General down to the platoon commander. In the next place the men themselves, even if they could be traced, were not in all cases willing to return. Much that was written at the time of the men's reluctance to leave the trenches was no doubt part of a propaganda campaign designed by those who devised it to keep up the morale of the fighters. But if it was false in emphasis, it did point to the real truth that, however intolerable the fighting line was, the men who had been there wanted to see the thing finished. And to many, the idea of returning to what might have appeared a sheltered job with good money at home might have seemed distasteful. Apart from these difficulties there was the even greater one of discovering where on the many fighting fronts the skilled men were disposed. The Army records were naturally not kept with a view to distinguishing the industrial occupations of recruits, and even if they had been so compiled the difficulties of tracing the men required would in any case have been formidable.

There were obviously two ways of setting about the business, when once the consent of the Army Authorities had been attained. The first was to ask skilled men in the armies to volunteer for service in industry, which to a certain extent meant accepting the men at their own valuation. The second method was to trace the particular man required through his original employer and to bring him back by direct application.

Both methods were tried, the former known as 'bulk release', the latter as 'individual release'. The figures up to November 1916 indicate that in all 51,781 men released from the Colours had

started work, of whom 30,893 had been released under the first and 20,888 under the second method. An examination of the occupations in which these men were engaged indicates that the extremely difficult work involved had been well done. Thus by far the highest percentage, i.e. 30·57, were engaged as fitters and turners, a key occupation for which the demand for men was inexhaustible. The next largest percentage, 12·88, were employed in the pivotal occupations of plating and rivetting. Next to these, with 9·39, came the metal machinists, and in the steel trades puddling, tubes, and smelting 7·17 per cent. The percentage of blast-furnacemen was 2·73, and in addition all the highest skilled trades, such as coppersmiths and toolmakers, showed a much smaller but still ponderable proportion. Both in number and quality therefore this reinforcement was perhaps as valuable as that from any other source, excluding only the women.

While the results were important, it is perhaps doubtful whether the methods by which they were achieved would repay a careful examination. As was inevitable, the history of the matter is the history of the attempt to accommodate at times, when emotions ran high, two equally urgent but mutually exclusive demands—that of the armies for soldiers and the factories for workers, or in terms of Departments, of the War Office and the Ministry of Munitions.

On each side there was an unanswerable case. The Army was asked to release men, the loss of whom would, in their view, seriously diminish fighting efficiency. The Ministry, on the other hand, envisaged the breakdown of their munitions programme owing to the absence of the very men without whom the Army anticipated military disaster. It was natural, in these circumstances, that there should be a severe struggle in detail between the rival interests. Mr. Lloyd George, speaking of the difficulty in Parliament in December 1915, compared the struggle to reclaim men from the Army to 'getting through barbed wire entanglements with heavy guns'. That the batteries were not all on one side, however, is shown by the results.

It will be sufficient for this purpose if the various stages through which release was developed are described, without lifting the curtain upon the movements and counter movements which

preceded each. The first stage is that before the establishment of the Ministry of Munitions as the responsible authority. During that stage, up to July 1915 a number of men estimated at 5,025, of whom 841 had been released in response to individual applications, had been set free for service with firms approved by the War Office.

The next stage imported two developments of interest. The first was the widespread invitation to firms (resulting in the submission of 50,000 names) to forward the names and units of skilled men who had left their employment for the Forces, which was coupled with a scheme by which expert investigators from the Ministry of Munitions should visit the unit in order to ascertain full industrial particulars of men willing to return to civilian life. The second development was the enrolment form which the released soldier was required to fill up. The first point was that he was required to place himself at the service of the Ministry of Munitions to serve where he was required, as long as he was required, on conditions : (1) that he should report himself to his unit for military duty as soon as he ceased to be so employed ; (2) that he should receive the district rate of wages, or his Army pay and allowances, whichever was greater ; (3) that if he was unavoidably separated from his family or dependants separation allowance (less the portion allotted by himself) should be issued to his wife or dependants, under the usual conditions, as a clear addition to any earnings or emoluments. The importance of this form will be immediately appreciated. From the reinforcement point of view it provides not only that the man shall go where he is required but stay there, in other words that he shall be a unit in a mobile corps. From the wages point of view it accepts the principle that a soldier in civilian life is entitled to civilian treatment. The scheme indeed automatically becomes one which should be treated, under the next main division, as an instance of the intensive use of labour, along with War Munitions Volunteers and allied schemes described later. But it may be more conveniently dealt with here as originating in what may be called 'straight' reinforcement.

This particular stage, apart from the recognition of the principle of the mobile corps, was not particularly successful. In

fact only 2,000 men were released in bulk up till October, and it was this failure which precipitated Mr. Lloyd George's observations to which attention has already been drawn. The individual releases proceeded more satisfactorily, over 3,000 being registered up to the end of October.

The next stage was to take a general census of skilled munitions workers serving in the Forces at home. This was taken upon the instruction of the War Office dated 16th September 1915. The method adopted was for a skilled investigator, accompanied by a representative of the Ministry of Munitions, to explain the scheme to the men, to visit the units who were paraded for the purpose of listening to the explanation and submitting to investigation. Of about 1,500,000 men paraded, 106,000 offered themselves, of whom 40,390 were passed as suitable by the investigators. About half of those, though not without considerable delays, were placed upon munitions work.

The releases hitherto described were principally from the armies at home, but simultaneously efforts had been made to recruit skilled men from the armies in France. As the result of protracted negotiations between the Ministry of Munitions and the Army Authorities, an order was issued, on 6th December 1915, by the Adjutant-General of the armies in the field designed to admit of the release of some 2,000 skilled men for munitions work. The Order pointed out that a large number of the engineers detailed for special service were already being tested in the workshops of the R.F.C. Men of the same occupations were, however, urgently required for munitions work. The same tests would be used, subject to qualification in respect of men who were artificers in their unit. It was explained that a party of skilled investigators would arrive from England on the 10th December, and visit the armies for the purpose of selecting men.

On the 9th December the party from England arrived, and the result of the first inspection yielded unsatisfactory results, only 851 men being forthcoming. A further investigation, initiated on the 3rd January 1916, though slower, produced in the long run better results; 1,543 men were placed at the disposal of the Ministry by the end of March, of whom nearly 1,200 were fitters and turners.

The scheme for home recruitment was wound up on the 2nd May, and had then had the following results :

Submissions to employers	78,804
Soldiers accepted by employers	25,458
Soldiers started work	19,698
Soldiers accepted, but not reported at work	1,516
Soldiers accepted, but reported by War Office as not available for release	4,224
Soldiers dealt with on direct application	830
Soldiers returned to War Office ■ not required	18,256

The releases from the British Expeditionary Force were completed in April of 1916. After these releases there were certain bulk releases (involving small numbers as e.g. for shipbuilding), but the scheme was shortly to be transformed into what was known as the scheme for Army Reserve Munitions Workers. This new development must be considered in relation to two factors :

(a) The desire of the War Office to distinguish clearly between soldiers available for military service and soldiers no longer so available and thus in fact no longer soldiers ; and

(b) The growth of 'substitution',¹ a process actively fostered by the introduction of compulsory military service.

The soldier released from the Colours, under the scheme we have been describing, remained a soldier. He was only released while on munitions work, and required to report himself to his unit when no longer needed for that work. He was entitled to Army pay if that was more than the civilian wage for the work upon which he was engaged, and to a separation allowance if living away from his dependants. The actual provision as to wages, as defined by the Army Instruction of February 1916, was as follows : Every soldier released from the Colours was entitled to his Army pay and ■ consolidated allowance of 2s. a day in lieu of lodging and rations. If the soldier was unavoidably separated from his dependants the War Office would continue to pay his separation allowance directly to the dependants. If living at home the employer must make up his wages to a sum equal to his Army pay and family allowance, recovering from public funds the difference between this sum and the man's civil earnings.

But with the introduction of the second Military Service Act

¹ The meaning of this term is explained below.

the position was changed. A clause in the Bill provided for transfer to the Reserve of soldiers temporarily demobilized. This clause in its original form caused the Ministry of Munitions certain misgivings. For, if the men released for munitions work were transferred to the Reserve, it would follow that separation allowances would cease, and, what was as important from the Ministry's point of view, their control of the man's movements would be taken from them. The War Office, however, were strongly of opinion that the time had come when men released for munitions work, in most cases for the duration of the War, could no longer be treated as soldiers. They had been content to acquiesce in this arrangement as long as this release was in the nature of a temporary loan, but they desired its termination when it became clear that the release was in fact tantamount to demobilization. The reasons underlying this view were substantial. The War Office, in the first place, were fully alive to the susceptibilities of labour on the subject of industrial conscription. Uniformed soldiers, liable to recall at any moment, might well be (and in certain cases were) regarded as industrial conscripts. In the second place, from the Army point of view men so released were difficult to discipline, and the wear and tear of industrial work had a detrimental effect on uniforms. Finally there was no good reason why Army funds should continue to bear the expense of large numbers of men who were not, in fact, soldiers. The Ministry of Munitions could not resist these arguments in respect of men to be released for the future ; but even in respect of these they pointed out the urgent need for some scheme being devised which would maintain undiminished the control of the movements of the man released. So far as the soldiers already released were concerned, however, the Ministry strongly opposed any attempt to alter their status. They were successful on both points. On the first point an agreement was reached with the War Office for the establishment of the Army Reserve Munitions Workers Scheme described below, which came into operation in October 1916. On the second point it was definitely agreed that the status of men released before that date was to remain unaltered.

In one sense, as has already been indicated, the release from the Colours scheme was in the nature of intensive use of labour rather

than 'straight' reinforcement. But it was so closely akin to that process that we have treated it as part of reinforcement rather than Labour Regulation. Similarly, we shall now deal with substitution and with the Army Reserve Munitions Workers Scheme, though in strict logic these bear a closer relationship to the schemes of War Munitions Volunteers and National Service Volunteers dealt with under Labour Regulation. To omit them here would be to leave incomplete our general account of the additions to the industrial cadres which were effected by release from the Colours.

It has been already stated that agreement had been reached between the Ministry of Munitions and the War Office as to the passing to the Reserve of men released from the Colours after October 1916. The scheme in working dealt with three classes of labour :

- (a) Men referred back by Military Service Tribunals to find work of national importance as the condition of their exemption from military service.
- (b) Men who had been called up and allocated to Army Reserve as not, for the time being, needed in the Army.
- (c) Men serving in units at home who were fit for Home Service only and who were surplus to the requirements of their unit for men of their category of medical fitness.

As regards the men in Class (a), a circular letter was issued by the Local Government Board to tribunals advising them to instruct men who were required to take up work of national importance as a condition of exemption to register themselves at an Employment Exchange. There they were to be registered, but at the time of registration it was to be ascertained whether the men were suitable for enrolment and willing to be enrolled as Army Reserve Munitions Workers. If any such men were subsequently placed on munitions work they were to be so enrolled. Finally as regards Class (c), they were preferably to be enrolled as Army Reserve Munitions Workers; where such enrolment was not possible, they were to be registered.

'Substitution' became a technical term, and implied placing a man in employment so as to release for the Army men fit for general military service. The methods of dealing with substitutes, as distinct from Army Reserve Munitions Workers, were the

following : In the first place the Employment Exchange was instructed to keep in close touch with the Military Service Tribunal and the Recruiting Officer in order to obtain particulars of cases in which employers needed substitutes. When a substitute had been supplied, the Tribunal or Recruiting Officer made the necessary arrangements for withdrawing the Certificate of Exemption from the man thus substituted.

In the second place there were special arrangements with regard to unskilled men under 30 employed by badged firms. The Ministry of Munitions instructed such firms to forward to the Divisional Officer of the Employment Exchanges¹ a complete list of all unskilled men under 30 in their employment. The Divisional Officer sent a copy of this list to G.O.C. of the Command in which the firm was situated. The military authorities arranged for a medical examination of the men on the list. The firm subsequently informed the Divisional Officer which of the men had been passed fit for general service, and a list of these was then sent to the appropriate Employment Exchange with instructions to get into touch with the firm and submit substitutes, using women for this purpose if possible. On substitutes being supplied, the Divisional Officer forthwith debadged a corresponding number of the unskilled men under 30 and informed the Ministry of Munitions, i. e. the various divisional areas in which they were grouped, the Recruiting Officer, the firm, and the men concerned, of the action taken.

In December 1916 this arrangement was altered upon the instruction issued by the Ministry of Munitions to all Government establishments, badged and controlled firms, to surrender war service badges in respect of unskilled and semi-skilled men, and to furnish to the appropriate Divisional Officer of the Employment Exchanges a return of all unskilled men of 30 years and upwards and all semi-skilled men of all ages. (This was a preliminary step : in point of fact men over 30 were not further dealt with at this stage.) The lists were sent to the Military Authorities, who were to indicate the man's medical category in each case, and any form of exemption which he might hold. The lists were then forwarded to the Chief Dilution Officer of the Ministry of Munitions (or to

¹ For account of Labour Exchange system see Chapter V.

the representative of the Admiralty in appropriate cases), who decided, in respect of men up to 30 years of age fit for general military service, which of them could be released, the date of release, and the nature of the substitute required. These decisions were communicated to the appropriate Divisional Officer, who instructed the Exchange concerned to supply substitutes. On substitutes being accepted (or, in the case of certain industries, on a given date from the day on which a substitute was offered to the firm), the Divisional Officer informed the Military Authorities so that the man to be released might be called up.

In May 1917 a new procedure was put into operation for effecting the release for military service of non-essential men of military age engaged on munitions, in railway workshops, or on War Office or Admiralty work. The outstanding features of this new procedure, which represented the Substitution Scheme in its maturity, were as follows :

There were established throughout the country a number of offices, known as Munitions Area offices, each containing a representative of the Ministry of Munitions, the War Office, the Ministry of National Service, and the Employment Department of the Ministry of Labour. Exemption at this stage was, broadly speaking, confined to men covered by the Schedule of Protected Occupations.¹ The Ministry of Munitions took steps to obtain from the firms concerned lists of their male employees over 16 years of age. These lists were examined by representatives of the Ministry of Munitions, War Office, and Admiralty, and there was then prepared a list of men who could be released for the Army. The men on this list were medically examined, and particulars were sent to the representative of the War Office in order to enable them to take the necessary steps for calling up, and to the representative of the Employment Department to find a substitute.

Vacancies for substitutes were notified to the Employment Department representative in the Munitions Area Office by the Munitions Area D.O. in respect of munitions work, or by the Military Representative in respect of non-munitions work. The Employment Department was normally allowed nine days in which to fill a vacancy for a male substitute. If the vacancy

¹ For account of this schedule see Chapter IV.

were not filled in that time it was transferred to the National Service Department. Towards the end of 1917 the procedure was varied by the elimination of the Munitions Area Office and the substitution for it of the Local Advisory Committee of the Ministry of Labour, acting in conjunction with the Employment Exchanges.¹ Later, in April 1918, a further modification was made, under which particulars of vacancies for which no suitable substitute was immediately available at the Employment Exchange were forwarded, through the Ministry of National Service, to a Department of the War Office at Kew with a view to the provision of a soldier substitute.

Complete figures, showing all the work performed under the various substitution schemes outlined above, are not available. Between the 12th May 1917 and 12th November 1918 the number of vacancies for substitutes notified was 53,297, of which 27,081 were subsequently cancelled; 10,680 of the remaining 26,216 were filled by the Employment Exchanges. As regards substitutes themselves, between October 1916 and 12th November 1918 the number of men 'registered for substitution' was 74,891. Of these, 11,747 were placed in employment, 16,464 were disposed of by the Army Authorities, and 11,207 could not be placed.

The Army Reserve Munitions Workers fell into two classes. The first class comprised men skilled in certain occupations in which there was an urgent demand for munitions work. The second comprised other men, skilled or unskilled, who were suitable for being placed on certain specific forms of war work other than those applicable to the first class. The terms and conditions of enrolment for the first class were as follows :

The worker undertook to work for war purposes in the employment of any firm of employers which might have been named by the Ministry of Munitions, and to remain in such employment during the War so long as he was required by the Minister in accordance with the following conditions :

1. The rate of wages to be 10d. per hour or standard rate of district whichever higher.
2. Over and above wages he received :

¹ These were voluntary Committees, composed of employers and employed, which advised the Employment Exchanges in the carrying out of their work.

- (a) Children's allowance : 2s. 6d. per week in respect of four and not more than five at the date of signature, 5s. in respect of six or more.
- (b) Free railway warrant when required to travel on placing or transfer.
- (c) Subsistence allowance of 2s. 6d. per day for seven days per week if compulsorily separated from dependants.
- (d) If within daily travelling distance of his home (exceeding half an hour each way) the value of workman's tickets, and his travelling time per day at time and a half.
- (e) If within travelling distance from his home (not exceeding half an hour) the cost of workman's tickets.

All allowances to be paid to workman by the firm along with wages.

The conditions applicable to the second class of Army Reserve Munitions Workers were very similar to those of the first, but had the following distinguishing features :

- (a) The substantive wage was 7d. per hour or district rate instead of 10d.
- (b) There was no provision for workers living within daily travelling distance of their homes.

It was further clearly understood, as regards both classes, that they were, in the full sense of the word, civilians. They were to receive no pay or other allowances from Army funds, were not to wear uniform, and were to be subject to the ordinary working conditions prevailing in the establishment to which they were assigned.

The general machinery for enrolling and placing Army Reserve Munitions Workers closely approximated to that used in the case of War Munitions Volunteers (described below in Chapter XI). The scheme was, however, clearly distinguishable from the original release from the Colours scheme, not only in the status of the men released but in the facility with which release was effected. This was due to various causes. In the first place the scheme was limited to the armies at home and then to men fit only for home service and accordingly less valuable from the Army point of view. In the second place the methods and objects

of the scheme were fully appreciated by the Army Authorities. Linked as it was with substitution (for a large number of men were released from the Colours for this purpose), it no longer presented itself to zealous regimental officers as a means for robbing the Army. The result was that between October 1916 and 12th November 1918, 58,185 Army Reserve Munitions Workers were placed in employment, or rather double the number placed under the earlier scheme. The total placings under the two schemes were in the neighbourhood of 90,000. When it is remembered that a large proportion of these were highly skilled and specially selected men, it will be realized how considerable a contribution to reinforcement was derived from this source.

The last means suggested in the summary of possible methods of reinforcement was the training, in skilled and semi-skilled work, of persons not previously possessing the necessary skill or experience. A separate Department of the Ministry of Munitions dealing with training was set up, and no less than 50,000 learners passed through the various courses, either with employers or in classes, or in special instructional factories. Then also therefore there was a considerable access of strength.

If we revert, therefore, to our figures of net shortage occasioned by enlistment, we shall have, in the light of what has gone before, to make substantial deductions from the net loss. It will be remembered that the gross shortage, without taking account of men released from the Colours and additional women introduced into industry, was estimated at 3,230,000. From this must be subtracted first the net addition of females which, as stated above, was 1,659,000. In the next place there must be deducted some 80,000 chosen men from the Dominions and foreign countries, and finally 700,000 estimated to have been released from the Colours, of whom nearly 90,000 were released on the ground of skill. We get, therefore, the following sum :

Gross loss	3,230,000
Gross additions (women, Dominion and foreign labour, release from the Colours) . . .	2,439,000
Net loss	791,000

This is, in itself, a very substantial achievement ; but, as we stated at the beginning of this chapter, the figures of reinforce-

ment cannot be taken at their face value. It is plain, to take the first element of reinforcement, viz. older men and younger boys, that these could not be expected to possess the same strength and skill as those whom they replaced. So far as Dominion and foreign labour is concerned, it may be agreed that the reinforcements were as skilful as the men replaced. But whether from the Dominions or foreign countries, they laboured equally under the disadvantage of working in strange conditions alongside men who were inevitably a little suspicious of them. Moreover, so far as the aliens were concerned, there was the added difficulty of a different language. It could not therefore be reasonably expected that these men could be absorbed into the main body of British labour so as to give, man for man, the same value as the native workman whose place they took. Then there were the women. This is (fortunately !) not the place in which the comparative value of men and women in industry need be argued. There are those who maintain that on the lighter work, upon which women were principally employed, a woman is equivalent to a man and even in some cases better. A more general view, however, which bases itself primarily upon physique, places their relative value at somewhere between two-thirds and three-fourths. But whichever view is right, it is the undoubted fact that to a very considerable extent the women came to industry not merely ignorant of the particular work which they were required to perform, but of the whole atmosphere of a workshop. Obviously they could not be expected, in the time at their disposal, completely to master what had taken the men whom they replaced many years. The very large figure which the women represent must therefore be taken with some qualification. Finally, even the 700,000 men released from the Colours cannot be treated as representing 700,000 absolute replacements. At least 600,000 were men discharged from the Army as medically unfit. It has already been observed that medical unfitness from the military point of view is not necessarily unfitness for industry. But the fact remains that the men so discharged were not the most robust, and this in itself is an indication that this figure also requires qualification.

But even if the figure of 791,000 were accepted without addition,

it represents a very formidable loss. The demands made upon the producers of the country were without precedent. Not merely did the volume of the demand increase incessantly, but it fluctuated with astonishing rapidity with the various phases of the War. At one moment high explosive shell of a particular calibre was urgently required; at the next shrapnel. At one moment the supreme need of the moment was aeroplane engines; at the next tanks. Trench weapons were succeeded as the dominant demand by poison-gas missiles. And with every twist and change of the operations in the field, industry had to readjust itself. A great naval engagement might suddenly stimulate the demand for armour-plate, and the German offensive of March 1918 involved the replacement of 1,000 guns.¹

It was tasks such as these that British industry was asked to carry out with a net deficit of 791,000 of its best units. It will not be denied that the problem of meeting this shortage by the regulation of labour was a considerable one.

¹ These were replaced by the Ministry of Munitions within a month.

PART III. LABOUR REGULATION

CHAPTER VII

THE MUNITIONS OF WAR ACT, 1915

IN passing from Labour Supply to Labour Regulation we pass from the region of experiments, often hazardous, and not always based on a connected plan, to a region where the foundations at any rate were laid clearly, logically, and with what subsequent events showed was remarkable foresight. These foundations were contained in the first Munitions of War Act, 1915, a code which, with modifications that never altered its main outlines, remained in possession of the field during the period of the War, almost alone in this respect of the general measures devised in the earlier stages of the War to anticipate its emergencies. The Act accordingly arranges our material for us.

The framers of the Act had, as we have indicated, to solve the problem of making one man do the work of one and a half. This meant continuous work carried on, with the greatest possible energy, with the right labour at the right place free of let or hindrance, by men as reasonably contented as war conditions would permit. The factors to be taken into account were the industrial traditions of master and man as altered or intensified by war feeling, the temper of the British workman as an individual and in his Associations, and the limitations imposed upon swift and dramatic changes by the actual structure of industry. Acts of Parliament, it is generally recognized, are distinguishable from Acts of God in being unable to change hearts, and the Munitions Act was only peculiar in this respect because men's hearts at the time of its passing were unusually malleable. But perhaps even more for that reason, a false step might, by hardening them, have been fatal.

There were three courses open to those to whom the problem was presented—the first was absolute voluntaryism, the second

absolute compulsion, the third a combination of the other two. What has already been described indicated that complete voluntaryism would not have met the war situation as it presented itself in the earlier months of 1915. The armies were short of men, but still more short of munitions. Obstacle after obstacle lay in the path of the manufacturer genuinely anxious to increase his output. He could not get enough men of any sort, least of all of the type he most required. So far as the men he had were concerned he could not be sure that work would not be interrupted by strikes ; he could not change men of one occupation on to another nor introduce semi-skilled men on to skilled work ; he was bound by Trade Union regulations as to the conditions under which any given workman might produce ; and he was in constant difficulty in matters of wages, partly because the men were beginning to realize their economic position, and partly because employers were bidding against one another for such labour as was available.

These matters had in the past been settled by the ordinary economic laws. Strikes, Trade Union conditions, wages were part of the case-law of industry, but *inter arma silent leges*, which, from this point of view, may be translated as meaning that under war conditions economic laws ought to be silent. They were not. They were breaking, and neither appeals to patriotism nor startling wages offers materially improved the position.

In these circumstances the minds of many turned naturally to the broad and easy remedy of general compulsion. It appeared to some not merely the most efficient but the most equitable way of handling the situation. When all were under orders, none, it was thought, could have reason to complain. As with military conscription, the Government proceeded with caution, testing public feeling before decisive action was taken. Thus, on the 3rd June 1915, Mr. Lloyd George, speaking at Manchester, said : ‘ To introduce compulsion as an important element in organizing the nation’s resources of skilled industry and trade does not necessarily mean conscription in the ordinary sense of the term.’ But how near it might go to conscription in an extraordinary sense he went on to explain when he spoke of the necessity of enlisting an industrial army.

This no doubt was a feeler thrown out to gauge opinion. The meaning of the speech was raised in a debate in the House of Lords on the 9th June, but the Government did not commit themselves. Their actual policy was revealed in the Munitions of War Bill introduced shortly after this date and passed into law on the 2nd July. The Bill, which was described as 'An Act to make provision for furthering the efficient manufacture, transport and supply of munitions for the present war', made it clear that for the time the Government had decided in favour of the third solution of the problem—a combination of compulsion and voluntaryism. The fundamental principle of the Bill was that the workman covered by its provisions remained a civilian with all the rights and privileges of civil law. But his industrial rights were severely limited. The Bill covered the whole industrial field and set itself, with painstaking thoroughness, to grapple with all the obstacles to the utmost production that the workman's (and employer's) rights as previously existing might interpose. But the whole problem was approached from a civilian point of view. The essence of the Bill was to follow the ordinary industrial policy of negotiation between employer and employed, i. e. to strike a bargain. It demanded much of the workman : it was intended to demand no less of the employer. When, for example, the workman's right to strike was removed, the employer's right to lock-out went with it. When the workman was asked to surrender his right to fix the conditions of his labour, the employer was required to forgo a considerable portion of his profits. It attempted, in a word, to strike a balance of sacrifice between the two sides.

The possible obstacles to production have been stated to be : interruptions of work by stoppages, failure to put forth the full amount of energy during work, either owing to Trade Union restriction or to indiscipline, doubt as to wages, resentment against employers' profits, opposition to dilution of labour, and the tendency of labour not to stay where it was most actively required or to desert important work for less important work more highly paid. The Act dealt with all these points.¹

¹ The text of the Act is printed in Appendix 3, where appear also the two Amending Acts of 1916 and 1917.

The Act dealt with strikes and lock-outs on a bold and comprehensive plan. Sections (1) and (2) rendered strikes and lock-outs illegal, subject to very heavy penalties for breach of the law, and provided for settlement of industrial differences by compulsory arbitration. The genesis and the effects of this provision are dealt with in the succeeding chapter. Here it is sufficient to say that at one stroke the whole basis of industrial negotiation was modified. 'Labour' ceased to be a commodity to which the laws of supply and demand applied. The *ultima ratio* of force which lies behind a wages demand on the one hand or a reprisal by the employer on the other was removed. From this time labour could not (if the law were obeyed) enforce a wages demand, or an objection to a workman's dismissal, or an alteration in workshop conditions, by a strike. The employer on his side could not insist on the acceptance of new conditions by a lock-out. For the moment strikes and lock-outs had become crimes, and the combatants were required to substitute for the duel legal argument before an arbitrator. As will appear, certain additions to this part of the code were made later, but the principle which it embodied remained unshaken till the end.

Proceeding then on the basis of industrial peace, the Bill proceeded to deal with the problem of removing the obstacles to the greatest possible output. Here appears the second great stroke—the controlled establishment. Behind the words lie a history. If the Government were in doubt whether to conscript labour, they must equally have been in doubt whether to conscript employers. The idea of a complete nationalization of the munitions industry during the War must have appeared attractive. Industry would have presented itself as a national army, with the employers as officers and the workers as the rank and file. But this idea must gradually have lost its clear outline. A preliminary difficulty as to what was 'munitions production' must have given pause to the enthusiasts. Shells, guns, explosives, vessels of war, khaki cloth, all leapt to the mind ; but what of the earlier stages of production ? The getting of coal, the manufacture of steel, the making of machine-tools and machinery, the building of merchant ships to bring the raw materials required from abroad—were these included or not in the production of

munitions? After a time the awed investigator must have been driven to the conclusion that munitions production was almost an interchangeable term with production pure and simple. At that stage the idea of universal nationalization must have begun to disappear.

But if it were impracticable on a general scale, it was still necessary to consider the demand of labour that there should be equality of sacrifice. This reduced itself to an investigation of profits. At this stage the idea of a general excess profits tax did not present itself, but following the principle of striking a balance the idea emerged of demanding a limitation of profits in those establishments where the workmen were required to surrender some of their industrial rights. For the moment other establishments, which were making profits equally high, were left out of account because at this stage limitation of profits was not so much a means of obtaining revenue as of obtaining the consent of labour to a temporary sacrifice of cherished principles.

Sections 4 and 5 of the Act dealt with controlled establishments, and struck the balance. In the one it was provided that 'any excess of the net profits of the Controlled Establishment over the amount divisible under this Act, as ascertained in accordance with the provisions of this Act, shall be paid into the Exchequer'. This limitation could, however, be only imposed in any establishment 'in which munitions work is carried on',¹ and then, true to the spirit of the bargain, only where alongside with control of profits went 'the control of persons employed'. The latter control was enunciated on broad and clear lines, addressing itself to the problem of obtaining the greatest amount of work with the least possible hindrance.

Section 4 (2) dealt with wages. It provided that 'any proposal for any change in the rate of wages, salary, or other emoluments of any class of persons employed in the establishment or of any person engaged in the management or direction of the establishment . . . shall be submitted to the Minister of Munitions, who may withhold his consent within fourteen days of the date of sub-

¹ Munitions work was defined in section 3 of the Act as 'the manufacture or repair of arms, ammunition, ships, vehicles, aircraft or any other articles required for use in war, or of metals, machines, or tools required for that manufacture or repair'.

mission'. It has been stated more than once that the bidding of employers against one another for labour had had a disturbing effect upon production. When all were for the State the employers did not feel it necessary to consider the business side of the wages bill. They must have the product, and it was not forthcoming without the men. Efforts of various kinds had been made to check this tendency by attempting to restrict the men's freedom of movement, but they had failed. An attempt was now made to deal with the difficulty at the source. But it can be easily appreciated how considerable a restriction upon the rights of the workman this provision entailed. Not only was the strike weapon taken from him, but here also the more peaceful exploitation of his economic advantage was lost. It is true that the restriction was not one-sided. If the workman's wage required the Minister's consent, equally that consent was required to the director's salary. But none the less, to impose this restriction was (if the provision were to work in practice) to try the workman high. Nor, as will appear when reference is made to the 'leaving certificate' provision, was this the only wages restriction imposed by the Code. The Code indeed left little to chance.

The next provision contained in section 4 (3) and (4) was aimed at removing Trade Union restrictions and privileges in so far as they interfered with output. These sections provided that 'any rule, practice, or custom not having the force of law which tends to restrict production or employment shall be suspended in the establishment', and went on to provide that 'The owner of the Establishment shall be deemed to have entered into an undertaking to carry out the provisions set out in the Second Schedule to this Act'.¹ It has been stated that Trade Union restrictions designed to protect the workman against exploitation and unemployment tended in numerous ways to restrict production. These practices limited, *inter alia*, the hours that a man might work, the methods (i.e. piece work or time) which he might employ, the class of man admissible to a certain type of work and, by deduction this last, forbade the introduction of unskilled women and thus banged the door that was to open to admit dilution. Each of these practices represented the

¹ i.e. the Treasury Agreement which is explained in detail in Chapter IX.

culmination of patient years of struggle and privation. They were an epigrammatic expression of difficulties experienced and survived. Section 4 (3) abolished them.

But not altogether. With that infallible sense of evenness that distinguishes the Code, it provides that these hardly-won practices should only be relinquished for the period of the War, and the employer was placed under an obligation to restore them after the period of the War. But further it provides that the abolition of the practices shall not be used by the employer to cheapen labour, laying it down that

(a) where the custom of a shop is changed during the War by the introduction of semi-skilled men to perform work hitherto performed by a class of workmen of higher skill, the time and piece rates paid shall be the usual rates of the district for that class of work; and

(b) the relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job.

Here, at any rate, some compensation for the surrender was given. But the demand made of the workman, when it is coupled with those that have gone before, was not the less drastic.

The next step was to regulate the way in which the workman actually carried out his work. Accusations of slackness, indiscipline, and drunkenness had received a considerable degree of publicity. The accusations were hotly resented and never proved. The Government did not, by dealing with the 'ordering of work' in controlled establishments, accept the accusations. But they felt that a closer control over the individual was required at a time when, on the one hand, the greatest personal effort of which he was capable was required, and, on the other hand, owing to the shortage of labour the ordinary remedy of dismissal for inefficiency or indiscipline was hardly available.

Section 4 (5) of the Act accordingly provided that 'The employer and every person employed in the establishment shall comply with any Regulations made applicable to that establishment by the Minister of Munitions with respect to the general ordering of the work in the establishment with a view to attaining and maintaining a proper standard of efficiency and with respect

to the due observance of the rules of the establishment'. It will be observed, in the first instance, that, true to the governing principle of the Code, the obligation imposed was (superficially at any rate) bilateral. It is not, however, obvious at first sight what is the nature of the offence for which an employer might be penalized. In practice, indeed, the only point on which an employer could (and occasionally did) offend was in the failure to post workshop rules as required by the Minister of Munitions. It may, however, be conjectured with reasonable certainty that, as nothing in the Code came there or remained in it by haphazard, the employer's obligation points to some intention in the minds of the framers of the Act, which it became impossible to carry out in practice. It is not unlikely that there was here some reference to the idea of nationalization or semi-nationalization of the munitions industry which was discussed above. It may have been (and probably was) contemplated that the Minister might on occasion, or even generally, issue instructions to employers as to the management of their factories. Some idea, for example, might have existed that orders might be issued to owners of controlled establishments to cease any private work upon which they were engaged. In fact such orders were never issued, but it is safe to assume that the insertion of the words in the Code was neither accidental nor purposeless.

In the second place, it will be observed that the section, as drafted, may appear on the surface to cover part of the same ground as section 4 (3), which suspended Trade Union restrictions. It might, for example, be argued that under section 4 (5) the Minister might, 'with a view to attaining efficiency', order the introduction of piece work into an establishment previously working, as the result of agreements with the Unions concerned, on a time-work basis. As such an Order would not render the employer liable to the undertaking to observe the Second Schedule contained in section 4 (4), the result might have been that changes thus introduced would have become permanent. In point of fact this interpretation was never placed on the section, which was strictly limited to the enforcement of discipline, good time-keeping, and the achievement of a reasonable output.

The other three provisions of the Act of importance are those

designed to get the workman where he was required, when he was required, and to keep him there. Perhaps of all the provisions of the Act these involved the most serious restriction of individual liberty. By the first provision, the obligation into which a workman had entered to go where he was required was put on a legal footing with penalties for evasion. By the latter two the workman, even though not the signatory of an undertaking, was prohibited from leaving his employment without his employer's consent. It has already been pointed out that the 'poaching' of labour by employers had seriously disturbed the labour market. It has also been stated that difficulty was experienced in bringing the right workman to the right place and keeping him there. These sections of the Code put an end (for a time) to all that. Section (6) provided that

1. If any workman in accordance with arrangements made by the Minister of Munitions with or on behalf of Trade Unions enters into an undertaking with the Minister of Munitions that he will work at any controlled establishment to which he may be assigned by the Minister . . . that workman shall, if he acts in contravention of, or fails to comply with his undertaking, be guilty of an offence under this Act.
2. If any employer dissuades or attempts to dissuade a workman in his employment from entering into an undertaking under this Section or retains or offers to retain any workman who has entered into such an undertaking . . . that employer shall be guilty of an offence under this Act.

The first point to notice is that the War Munitions Volunteer Scheme, to which this section refers, was not, like the other measures in the Code, invented by and for it. The description of the War Munitions Volunteer Scheme given below will indicate that it was evolved in consultation with certain Labour leaders on the basis of a scheme known as the 'King's Squad', which was in existence in the Newcastle Area in the early months of 1915. The scheme as invented, and as here given legal sanction, points once again to the compromise between voluntaryism and compulsion which is the basis of the Act. The idea of an 'industrial army' was alluded to by the then Minister of Munitions at Manchester on the 3rd June 1915 in the speech to which reference has already been made. That phrase may be taken to imply something more than such a body as was constituted in the War Munitions Volunteer Corps. But it is not impossible that this corps, as legalized

by the Act, was the modified offspring of that phrase. It is true that enrolment was entirely voluntary, but it was equally true that enrolment gave protection during 1915 against gibes of slackness and in 1916 against military service. Further, when a man was enrolled he was no longer master of his own movements. Under legal penalty he was required to go to and work at the controlled establishment to which he was assigned. While at work he had all the ordinary rights of his fellow-workman, both as regards remuneration and hours, but he had not the other man's preliminary right of choice.

It may be noted further that, as always, the employer is also brought under an obligation. He must neither prevent an enrolled workman from leaving nor retain him even if he wished to stay. The provision was necessary because an employer's best men often enrolled, and their departure was naturally not viewed with satisfaction. In fact, however, the employer was given so generous an opportunity of protesting against the loss of an essential man that this section was not of much practical use.

The next two provisions may be taken together :

Section 7 (the most famous, or perhaps notorious, of the provisions of the Act of 1915) provided that :

- (a) A person shall not give employment to a workman who has, within the previous six weeks or such other period as may be provided by the Minister of Munitions as respects any class of establishment, been employed on or in connexion with munitions work . . . unless he holds a certificate from the employer by whom he was last so employed that he left with the consent of the employer. . . .
- 3. If any person gives employment in contravention of the provisions of this Section he shall be guilty of an offence under this Act.

Section 10 (which without the explanation given in the chapter on leaving certificates is of remarkable obscurity) provided

The following paragraph shall be substituted for paragraph (d) set out in subsection (1) of Section One of the Defence of the Realm (Amendment) No. 2 Act 1915 and shall be deemed to have been contained in that Act namely :

- (d) to regulate or restrict the carrying on of any work in any factory, workshop or other premises or the engagement or employment of any workman or all or any classes of workmen therein

or to remove the plant therefrom with a view to maintaining or increasing the production of munitions in other factories, workshops or premises. . . .

We may take the second of these provisions first and say of it only that it was never used, leaving the explanation of its origin to a later chapter. It provided a formidable weapon, but section 7 proved so adequate that the additional powers given by section 10 were unnecessary. Section 7, however, requires a little more explanation even here, for of all the provisions of the Act this was the most hotly contested, and of all, it is safe to say, most completely achieved its object.

It may be noticed, in the first place, that like the provision relating to strikes and lock-outs, and unlike the provisions as to limitation of profits and control of employment, it applied not to controlled establishments only, but to any establishments in which munitions work was carried on to which an Order of the Minister was applied. The reason was plain. The restless movement of labour outside the controlled establishments might well have made the men then in establishments, already severely disciplined, excessively uneasy. Moreover, quite apart from this, it was undesirable that the wages 'scramble' should continue, and this section was in the result to have a more profound effect upon wages regulation than section 4 (2) which had this for its expressed object.

It may be noticed, in the second place, that this alone of the provisions of the Code is not in any real sense bilateral. It is true that the section makes it an offence to engage a workman without a certificate. But it placed no reciprocal restriction on the right to dismiss. The abolition of the right to strike was counterbalanced by the abolition of the right to lock-out. The imposition of control of labour had its counterpart in the limitation of profits. But the restriction of the right to leave had no counterpart in any restriction of the right to dismiss. This feature of the section, as might have been expected, was exposed to fierce criticism. But, though the apparent injustice of a one-sided arrangement is obvious, it is difficult to see what else could have been done. The only feasible method of restricting an employer's right to dismiss would have been to make it subject to the certi-

ficate of some outside tribunal. When the numerous reasons for dismissal, other than disciplinary, are for a moment considered, the difficulties of the practical application of such a proposal will be realized. It may perhaps be accepted that it was in the interests of efficient management, and therefore of production, that the section was so framed, and not out of any one-sided regard for the employer's feelings.

Finally, it will be observed that this provision was of all the measures in the Code the most exacting. It gave the employer and (what from the workman's point of view was worse) the foreman an extraordinary hold over the individual. However little the workman liked his place of work, he could no longer take his money and go; and when the Military Service Acts came into operation, the section for a brief time practically gave the employer the power—if he chose to dismiss a workman and refuse a leaving certificate—to send him into the Army.

It was not surprising, therefore, that leaving certificate cases provided the great bulk of the work which came before the munitions tribunals, the last great feature of the Act. These tribunals represented a new departure in the English system of judiciary. They did not appear in the first draft of the Bill as introduced into the House of Commons. At that stage the remedy for breaches of the Act lay with the ordinary Courts. It was represented, in the course of debate, by several speakers, that as the Act created a number of new offences, quite unlike any for which provision was made in the criminal code, special Courts should be set up to deal with the offences. It was pointed out that it would be both absurd and unfair to regard a person guilty of a breach of this Act as in the ordinary sense a criminal. It was therefore strongly contended that Courts of a domestic character, suitable to the special nature of the offences, should be created.

The Government, appreciating the force of this contention, introduced section 25 of the Act, which made the following provision :

1. The munitions tribunal¹ shall be a person, appointed for the pur-

¹ For a fuller statement as to the functions of the munitions tribunals see Appendix 6.

pose by the Ministry of Munitions, sitting with two or some other even number of assessors, one half being chosen by the Ministry of Munitions from a panel constituted by the Minister of Munitions of persons representing employers, and the other half . . . of persons constituting workmen, and the Minister of Munitions may constitute two classes of munitions tribunals, the first class having jurisdiction to deal with all offences and matters under this Act, the second class having jurisdiction, so far as offences are concerned, to deal only with any contravention of, or failure to comply with, any regulation made applicable to a controlled establishment or any undertaking given by a workman under Part II of this Act. . . .

4. A person employed or workman shall not be imprisoned in respect of the non-payment of a fine imposed by a munitions tribunal for an offence within the jurisdiction of a tribunal of the second class. . . .

A brief examination of the working of these tribunals will not be wasted, for in fact they embodied a new form of administering justice, which it was hoped by some (though the hope has hitherto not been realized) might form a permanent part of the English judicial system. It will be observed that, with the object of making them expert bodies, the Chairman of the Tribunal was assisted by two assessors chosen from employers and workmen. In so far as they were appointed to help him with expert knowledge, there were precedents in other Courts, e. g. the Court of Admiralty, where the judge is assisted by expert assessors in the persons of Elder Brethren of the Trinity House. But to the extent that the assessors represented the view of the respective classes from which they were drawn, the appointment was a complete innovation. In practice it was found that, except in isolated cases, the assessors were by no means partisan in their views, and brought to their duties real impartiality as well as the knowledge of industrial affairs for which they were primarily appointed. So much was this the case that it was found possible, in deference to Labour opinion, in the Amending Act of 1916, to change the assessors from mere advisers to persons upon whose advice, except in questions of law, the Chairman must act.

In the second place, the character of the Court was from the outset different from that of any of the existing Courts. It had no traditions either for good or evil. It was not associated in any one's mind with infractions of the ordinary laws. No workman therefore felt the natural reluctance to state his case to the

Tribunal which is so general in other Courts. Nor, on the other hand, did the same stigma attach to a workman fined by one of the Tribunals, as would have attached to him if fined precisely the same amount by an ordinary Court.

This special character of the Courts was emphasized by the rules¹ made by the Minister of Munitions and the Secretaries of State concerned under section 25 (3) of the Act of 1915. The procedure was reduced to the simplest possible form. Counsel and solicitors were not permitted to appear before the Tribunals of the second class. Fees were either non-existent or reduced to a minimum. These three points in themselves gave to the Tribunals an easy unofficial air which rendered the transaction of business rapid and informal, though the absence of trained advocates was not always in itself found to be an advantage. This informality was further assisted by the place in which the Tribunals were held. Though often town halls and court rooms were used, in many cases buildings not devoted to the law were used, thus further emphasizing the domestic character of the Tribunals.

The volume of the business transacted will be indicated by the chapters dealing with the cases brought before them. But it may be said here that by general consent their work in a new and difficult field was with few exceptions carried out with notable success. The chairmen—nearly all barristers or solicitors—were chosen either from the same men who had done good service as chairmen of Courts of Referees in deciding claims to benefit under the National Insurance Act of 1911, or were brought in specially. As to the assessors, it has already been said that they were, on the whole, successful. The Act of 1916 added a woman to their numbers in cases where a female worker was involved. The panels consisted of representative employers and workmen who were called up to serve in rotation. No attempt was made to reserve employers or workpeople of a particular craft to hear cases concerning that craft, and though such a system was advocated from time to time, it would have been impracticable, as the cases heard at one sitting of the Tribunal, particularly at times of pressure, related to workmen from a variety of trades.

¹ For the actual rules see Appendix 6.

At the outset munitions tribunals were divided into two classes—the first with power to deal with all offences, the second limited to minor offences. The intention was to reserve the first class of munitions tribunals for major cases arising in disputes and evasions by employers, involving considerable penalties. In actual fact the Tribunals of the first class, owing to the fortunate rarity of strike cases, had extremely little work, the great bulk of the work being from the outset carried out by those of the second class. So much was this recognized to be the case that the Act of 1916 transferred to the second class Tribunals all offences other than those for which the maximum fine exceeded five pounds.

Finally, no appeal lay from the decisions of the Tribunals as originally constituted. As there were some sixty of these, and as the points with which they dealt were not only often matters of great importance, but matters involving difficult points of legal interpretation, the necessity of some central determination of points at issue became obvious. The Minister of Munitions was frequently consulted by chairmen on points of law, and though he was naturally anxious to give such help as his legal advisers were able to afford, he was very anxious not to be put in the position of appearing to interfere with the judicial authority of independent Courts. Accordingly section 18 of the Act of 1916 provided that

'Decisions of munitions tribunals shall be subject to appeal to such judge of the High Court as may be appointed by the Lord Chancellor for the purpose on any ground which involves a question of law or a question of mixed law and fact, or on any other ground that may be prescribed in rules made by the Lord Chancellor.'

Even when the High Court was brought in, informality, expedition, and cheapness, which marked the munitions tribunals, were maintained. It is true that in general the appeals were conducted by counsel, but on occasion the judge appointed by the Lord Chancellor allowed Trade Union officials to appear before him. The rules fixed a simple and expeditious procedure, and the fees were extremely low.

This account of the Tribunals completes the exposition of the Munitions Code. It was considerably amended by later Acts, and

these amendments will be explained and discussed in detail in the appropriate chapters. But, though amended, the main structure remained substantially unaltered throughout the War. The framers of the Act had envisaged, as a whole, the problem of labour regulation, i.e. the problem of making up for labour shortage by intensive use of what labour was available. They produced a coherent and closely inter-related scheme which provided for almost every subsequent development and difficulty. Marshal Foch is reported somewhere to have observed that what he wanted was a plan—good or bad—but a plan. ‘He who has a plan’, he is rumoured to have cried, ‘will beat the other man who will certainly have not had this idea.’ The Munitions Act was a plan for labour regulation, and the detailed description of its working which follows will permit the reader to judge whether it justified the Marshal’s ejaculation.

CHAPTER VIII

STRIKES, LOCK-OUTS, AND COMPULSORY ARBITRATION

WITH the outbreak of war a great calm settled on the industries of the United Kingdom, and indeed for a high-hearted space the kingdom deserved its adjective in industrial as in all other affairs. Employers and employed met and decided that outstanding difficulties should remain unsolved pending the crisis, and the men made it clear that they did not mean to use the War for their own purposes. If Capital and Labour are to be considered as rival camps, then it is fair to use the military phrase of Truce as applied to the six months ended December 1914. On the 4th of August representatives of the Clyde shipbuilding and engineering employers and employees met, and 'unanimously agreed to recommend to their respective constituents to assist in every possible way, as specially asked by the Admiralty and War Office, all firms employed on Government work urgently wanted during the present national crisis, in order to complete at the earliest possible date all such work'. Similar action was taken six days later by shipbuilding and engineering employers and employed on the Tyne. Following this, on the 25th August, at a joint meeting of the Parliamentary Committee of the Trade Union Congress, the Management Committee of the General Federation of Trade Unions, and the Executive Committee of the Labour Party, the following resolution was passed :

That an immediate effort be made to terminate all existing trade disputes, whether strikes or lock-outs, and whenever new difficulties arise, during the war period, a serious attempt should be made by all concerned to reach an amicable settlement before resorting to a strike or lock-out.

The result of this action is shown by the following figures of men involved in disputes and days lost through dispute during the various quarters of 1914. In the period January to March 1914 there were 122,995 men involved in disputes with a loss of 2,907,683 working days ; in the period April to June 238,865, with a loss of

5,219,200 working days; and in the period July to September, for the 27 days of August can be safely subtracted, 65,341, with a loss of 2,188,100; in the period October to December 21,128, with a loss of 161,437 working days, and of that 21,128, only 2,241 were in the engineering, shipbuilding, and metal trades. These figures speak louder than words. To a period in which the steadily mounting industrial unrest appeared to be threatening the basis of society, succeeded tranquillity.

It is possible, indeed probable, that this sacred unity would never have been impaired if the War had been short; but it was inevitable as the War drew out, with the unexampled demands which it was to make on patience, temper, and endurance that the first fine flush should cool. Men woke from their dreams to discover that the world was still with them—still too much with them. The cost of living was beginning to show signs of a sharp upward curve. Flour, oatmeal, sugar, tea, butter, cheese, meat, and coal had all risen. Simultaneously the inevitable rumours of huge profits being made by war contractors began to circulate. Added to this were the early war disappointments, the rapid progress of recruiting, and the general growth of active personal discomfort. War began to descend from the clouds, or rather to bring the clouds down with it, and to settle cold and continuous in the heart.

The first indication of that change blazed up on the Clyde, and its significance is not lessened when we remember that it was on the Clyde that employers and employed had met on the 4th August 1914 to seal a bond of unity. The strike originated in one of the demands which had been set aside voluntarily at the outbreak of war. In July 1914 the Clyde District Committee had demanded an increase of 2d. an hour in respect of the rate of $8\frac{1}{2}d.$ fixed by a three years' agreement then drawing to its termination. This claim, after remaining in abeyance for the six months following, was renewed on the 7th December 1915. Protracted negotiations followed. The employers offered $\frac{1}{2}d.$ per hour, to which the men replied by reducing their demand to $1\frac{1}{2}d.$ in two stages of $\frac{3}{4}d.$ each. From the District Conference where this offer and counterclaim were made the question was referred to a Central Conference at York, where an agreement

was reached for $\frac{3}{4}d.$ per hour increase on time rates and $7\frac{1}{2}$ per cent. increase on piece rates. But before a ballot could be taken 2,000 engineers and machinists at the works of Messrs. G. and T. Weir, Cathcart, had ceased work. This was the signal for an extension of the strike, and within a few days 20 firms were affected and 8,000 men were out of work. The situation was serious. The Clyde was, if not the most important, at least one of the most important centres of munitions production. The Government could not stand idly by and watch an interruption of output. The Admiralty accordingly appealed to the Executive Council of the A.S.E. to intervene. A ballot was immediately taken by them for a resumption of work, with overwhelmingly unfavourable results. The Council, adhering to their determination not to countenance the strike, on the 23rd February instructed the local secretaries not to pay strike pay. On the 1st of March, as a result of a letter from Sir G. (now Lord) Askwith, written on behalf of the Government, the Chairman and Secretary of the Executive Council travelled to Glasgow. There they met the District Committees and explained the position to mass meetings.

The result of their action was indecisive, and gave rise to the first overt struggle—to become more and more marked as the War progressed—between the central Union executives and the local leaders of the rank and file. David Kirkwood—convener of the shop stewards¹ at the Parkhead works of Messrs. Beardmore (whose name will appear more than once in the account of the stormy days that followed)—stood out strongly pressing for the men's full claim. On the whole, however, the Executive had the upper hand, and by the 3rd of March a proportion of the men had returned. But a complete resumption did not take place till the 4th of March. The question at issue was finally settled by an award of the Committee on Production,² announced on the

¹ Shop-stewards were representatives of particular departments in a works chosen by the skilled men as their representatives for dealing with the management. They were recognized by the rules of the A.S.E., not as regular officials but as forming a part of their general organization. They were placed under the direction of the local District Committee, and received a quarterly fee of 3s. for the report that they were required to make to the Committee.

² For fuller account of Committee on Production see pp. 118 et seq.

23rd March, giving the men 1d. per hour on time rates and 10 per cent. on piece rates.

This strike lasted only about a fortnight in all, and involved not more than 8,000 men, but it finally ended the Truce. From that time the country was back in the old atmosphere of industrial counterpoise, aggravated by war conditions and the incessant demands of Government on both parties. From this moment, therefore, it became necessary to consider ways and means of preventing stoppages during the War. The pre-war arrangements—described in Chapter II—for dealing with strikes rested on the Chief Industrial Commissioner attached to the Board of Trade. For the first few months of the War this machinery was not required. But with the growing need for negotiating some settlement with the Trade Unions on the subject of Trade Union restrictions, the services of the Chief Industrial Commissioner were requisitioned. From this point of view the principal point of interest is that, as a direct result of Sir G. Askwith's inquiries and proposals, it was decided by the Government, on the 4th February 1915, to appoint a Committee on Production consisting of the Chief Industrial Commissioner (Chairman) and one representative each of the Admiralty and War Office. The terms of reference were :

To inquire and report forthwith, after consultation with the representatives of employers and workmen, as to the best steps to be taken to ensure that the productive power of the employees in engineering and shipbuilding establishments working for Government purposes shall be made fully available so as to meet the needs of the nation in the present emergency.

Like many other war creations this Committee, created for one purpose, developed into a successful instrument for a purpose quite different. When the history of the Treasury Agreement and dilution is given in detail it will be perceived that this Committee had a great share in preparing the way and devising the plan which led to that achievement. But for the moment it is of more interest to note that, because of the acknowledged standing and impartiality of the Committee, it passed invisibly into an Arbitration Tribunal to be given statutory recognition as such in the Munitions of War Act, 1915.

In the meantime, during its transition stage, the Committee was actively considering the whole industrial position, and on the 20th of February—only four days after the outbreak of the Clyde engineers' strike—we find it recommending measures for the avoidance of strikes and the submission of industrial differences to an impartial Tribunal. On the 11th of March invitations were sent out to the principal Trade Unions to meet the Chancellor of the Exchequer and the President of the Board of Trade¹ to discuss the taking of further steps to organize the resources of the country to meet naval and military requirements. It is perhaps true to say that the primary object of the Conference was to increase the productivity of labour by obtaining the removal of Trade Union restrictions in output. But the first item on the agenda was the prevention of strikes and lock-outs. It was proposed to the Conference and accepted, subject to alterations of form, that 'With a view to preventing loss of production caused by disputes between employers and workpeople no stoppage of work by strike or lock-out should take place on work for Government purposes. In the event of difficulties arising which fail to be settled by the parties directly concerned, or by their representatives, or under any existing agreement, the matter shall be referred to an impartial tribunal, nominated by His Majesty's Government, for immediate investigation and report to the Government with a view to a settlement.' The Tribunals suggested were :

- (a) A single arbitrator agreed upon by the parties or appointed by the Board of Trade.
- (b) The Committee on Production.
- (c) A court of arbitration on which labour and employers should be equally represented.

When the sense of this proposal was embodied in the Treasury Agreement, signed on 19th March 1915, two things had been established—the recognition of the right of the State to require continuous work, and the constitution of the Committee of Production as the impartial Tribunal which was shortly to become the first Court of Compulsory Arbitration which the United Kingdom had seen.

¹ Mr. Lloyd George and Mr. Walter Runciman.

It was one thing to make an agreement with the Trade Union leaders ; it was another to give it practical effect in the country. The Clyde strike of the 16th of February had demonstrated that the workmen were no longer prepared to accept the War as a universal excuse. They had begun, it was clear, to ask questions. Moreover the strike had indicated that the power of the central executives of Trade Unionism was being temporarily threatened by the emergence of vigorous local leaders and movements. The strength of the local leaders was perhaps unexpectedly increased by the signature of the Treasury Agreement. It was the central executives—and not the local men—who had signed away the right to strike, and who were henceforward bound (so it was urged locally) to acquiesce in the demands of the ‘bosses’. At this stage it was therefore already clear that the War, which with magnificent impartiality stirred up the best and the worst human passions, was now exploring the latter. All the materials were—although yet undeveloped—at hand : suspicion of employers and their profits, suspicion of the central leaders and of the motives of the Government, resentment at increased cost of living, incessant physical and mental fatigue, and, above all, the sense of thin horror with which the War steadily overlaid the emotions of all susceptible to feeling.

It is not surprising, therefore, that in the three months immediately succeeding the signature of the Treasury Agreement strikes increased in number. The actual figures were: men involved 84,079 ; days lost 525,200, and of these men, 15,935 were employed in the engineering, shipbuilding, and metal trades. It became inevitable, therefore, that a further step should be taken, and by the Munitions of War Act, 1915, strikes and lock-outs on munitions work were made illegal under penalty, and a system of compulsory arbitration was established.

In the preceding chapter the general features of the sections 1 to 3 of the Act, which dealt with this matter, have been discussed. It is now necessary, before describing how the sections operated in practice, to examine more closely certain of the points in the sections which became later points of outstanding importance.

It will be noted, in the first place, that though all the executive

powers in the Act are vested in the Minister of Munitions (or Admiralty so far as Admiralty work was concerned) it is to the Board of Trade that differences were to be reported ; it was the Board of Trade who were to consider means of settlement, and it was the Board of Trade that was to refer the difference, if necessary, to the appropriate Tribunal for compulsory arbitration. The object of the introduction of this third party was to secure that differences in which the Minister of Munitions might often be involved indirectly should be handled by a neutral Department. But it was obvious from the very structure of the Act that its framers were conscious of some doubt as to the relations of the Ministry of Munitions and the Board of Trade. Thus section 4 (2) imposed on the Minister of Munitions, and not on the Board of Trade, the duty of sanctioning all wages changes in controlled establishments. It is true that the same section provided for a reference in case of dispute to the Board of Trade. But nothing could prevent a situation arising in which a dispute in a controlled establishment would be referred by the Board of Trade to, and settled by, compulsory arbitration, with the result that the Minister of Munitions would have no option but to give his consent. The Act thus automatically created a dual authority, and the difficulties thus likely to be caused were materially increased when the Amending Acts invested the Minister not only with power to make Wages Orders, but to interpret his own orders.

In the second place it may be noticed that the prohibition was limited to differences occurring on munitions work. It did not apply to other services such as transport and getting of coal or iron ore, though a cessation in any of these must be as fatal to production as one in what was directly defined as munitions work. The reasons for this were obvious. The Unions concerned in these services had not been parties to the Treasury Agreement, and some of them—notably the Miners' Federation—maintained that the existing conciliation arrangements in their trade were such as to render any compulsion unnecessary. They declared themselves ready, however, to have the Act applied to them in the improbable event of a breakdown of their machinery. Accordingly section 3 provided for the prohibition to apply to any

employment ' if this Part of this Act is applied to such a difference by His Majesty by Proclamation on the ground that in the opinion of His Majesty the existence or continuance of the difference is directly or indirectly prejudicial to the manufacture, transport or supply of Munitions of War ', adding, with special reference to the case of the miners, the proviso ' that if in the case of any industry the Minister of Munitions is satisfied that effective means exist to secure the settlement without stoppage of any difference arising on work other than on munitions work, no proclamation shall be made under this section with respect to any such difference '. The Munitions of War Act came into force on the 2nd July 1915 : on the 15th of July 200,000 miners were on strike in the South Wales coal-field.

The next point of interest arises on the definition of what a difference is and to what trades it applies as being properly munitions. The difference, in the first place, to be covered by the Act must, under section 1 (1), be a difference either ' between any employer and persons employed ', or ' between any two or more classes of persons employed '. It is clear, therefore, that the Act did not apply to strikes against Government action, and this omission was destined to have serious results when, as later in the War, the principal cause of the large strikes was Government action, e.g. dilution on private work, the operation of the Military Service Acts, or the attempted imposition of piece work in trades accustomed to time work. Again it was open to doubt whether the giving of notice to leave by a body of men was in fact covered by the definition of strike in section 19 (b). Finally the definition of munitions work, though general in terms, was, it was destined to appear, restricted in two ways—it did not cover all the processes of manufacture in the munitions trades originally contemplated, and it left out of account altogether certain trades which should certainly have been included.

The first two difficulties were left untouched, but important alterations in the scope of the definition were made by section 9 (2) of the Amending Act of 1916. In the first place, with respect to the trades already covered the most important innovation was the substitution for the words ' articles required for use in war ' by the words ' articles intended or adapted for use in war '.

This amendment was designed to cover the numerous difficult cases in which the destination of a manufactured article was in doubt, in cases where, in the final stages of manufacture, it could be converted either to war or civilian use. With regard to the extension to new trades, the following additions were made :

1. The manufacture or repair of vessels not required for use in war, certified by the Board of Trade to be necessary for the successful prosecution of the War.¹
2. The construction, alteration, or repair of works or construction and buildings for naval or military purposes and of buildings in which munitions work is or is intended to be carried on.
3. The construction, alteration, repair or maintenance of docks, harbours and work in estuaries, where the work was certified by the Admiralty to be necessary for the successful prosecution of the War.
4. The supply of light, heat, water, power, or tramway facilities in cases certified by the Minister of Munitions. And—
5. The repair of fire engines and any other fire-brigade appliances similarly certified.²

The next point to notice is that the penalties of section 9 (2) applied only to employers locking-out or to workmen on strike. They did not, like the penalties in section 4 (3) (abolition of Trade Union restrictions), apply to persons instigating to strike. It may have been held that, so far as England was concerned, the common law as to conspiracy would have applied to any person who incited others to commit a criminal offence. But what is more probable is that it was not desired to deal with offences of that character in a Code which, as stated above, represented a bargain. Adequate remedies (if they can be so described) were in fact provided by the Regulations under the Defence of the Realm Act as finally amended. There was Regulation 14, which gave the competent Military Authority the right of removing suspected persons from any area in which they might

¹ This amendment was introduced in order to assist the construction of merchant vessels at the time when the submarine menace was becoming serious.

² This amendment was not unconnected with the subject of air-raids.

be living. There was also Regulation 42, which was amended in November 1915 to read as follows :

If any person attempts to cause meeting, sedition, or disaffection among any of His Majesty's forces or among the civilian population, or to impede or restrict the production, repair, or transport of war material or any other work necessary for the prosecution of the war, he shall be guilty of an offence against these regulations.

The penalties imposed by the Regulations could be the most severe known to the law, and in one or two notable cases in Scotland heavy sentences were in fact imposed upon persons found guilty of instigating strikes. But, as will be observed, the Munitions of War Act was designed to effect its purpose without resorting to imprisonment. In any event section 25 (4) laid it down definitely that imprisonment was not available as a remedy in the event of failure to pay a fine imposed by a Tribunal of the second class. But imprisonment for failure to pay a fine remained in respect of strike cases before the first class of Tribunals (known as General Munitions Tribunals to distinguish them from the second class known as Local). Imprisonment was resorted to in the case of certain leaders in the Fairfield shipwrights' strike at Glasgow at the end of 1915. This led to profound labour dissatisfaction, and the power to imprison for strike offences was removed by the Act of 1916.

It is clearly impossible to give a continuous account of all the stoppages of work that occurred between the passing of the Munitions of War Act in 1915 and the end of the War. In what follows, certain typical disputes of major importance are selected with a view to indicating first the general labour policy of the Government in respect of strikes ; secondly, the events and tendencies which led to the strikes ; and thirdly in the hope of throwing some light on the question whether the prohibition of strikes and compulsory arbitration are in fact a means of securing industrial harmony. This consideration should be premised by making two statements on facts which, to a certain extent, cancel each other out. In the first place, the figures for strikes and days lost in the period following the passing of the Act until the end of 1917 are not reassuring. They are as follows :

	Workmen affected		Working days lost	
	All Trades	Engineering, Shipbuilding and Metal Trades	All Trades	Engineering, Shipbuilding and Metal Trades
1915				
July to September . .	272,328 *	7,082	1,612,200	39,600
October to December . .	37,972	5,347	425,034	68,908
1916				
January to March . .	79,041	9,740	558,000	80,600
April to June . .	54,937	9,402	1,270,000	53,200
July to September . .	53,410	13,808	290,600	39,700
October to December . .	80,988	43,471	462,700	172,800
1917				
January to March . .	46,675	30,862	278,500	190,000
April to June . .	234,427	179,673	1,828,800	1,490,000
July to September . .	184,982	32,865	1,398,100	299,800
October to December . .	354,642	143,299	2,008,500	939,200

* Includes 200,000 miners on strike in South Wales.

These are ugly figures, but they should be compared, in the first instance, with the figures for 1911, 1912, and 1913, which show for these years days lost respectively at 10,322,000, 40,915,000, and 11,631,000. They should further be contrasted with the figures of awards issued by the Arbitration Tribunals under the Munitions of War Acts. These amounted, from the passing of the first Act till the end of the War, to 8,000. The number of workers involved by these awards was enormous, running into millions, and it is true to say that in the vast majority of instances the awards were accepted without cessation of work. It should be noted further that the figures are progressively bad with the prolongation of the War. Thus, to the end of 1915 the strikes on munitions work remain, if not negligible, at least remarkably low, although two serious strikes—Fairfield's in August, Parkhead in December—are included. During 1916 there was a steady increase in the prevalence of unrest until, in the last quarter of the year, the number of days lost rose as high as 172,800. In 1917, however, the figures rose on a sudden steep curve, and the days lost on munitions work alone for the year are in excess of 2,000,000. It is therefore permissible to infer from these figures that war weariness, war privation, war strain, were broadly responsible

for the growing restlessness. And the question as to the efficacy of compulsory arbitration may resolve itself into a question of the degree of endurance of which the ordinary man is possessed.

It has already been said that within thirteen days of the passing of the Munitions of War Act, 1915, 200,000 miners ceased work in South Wales. The particular strike was of interest from several points of view. In the first place, though originating in a wages demand, its real significance was the determination of the South Wales miners to use the economic weapon put in their hands by the War to secure their otherwise possibly unsatisfactory post-war position in the event of a probable industrial depression. It was peculiar, therefore, as not being directly caused by unfavourable war conditions or by demands made by the Government. In the second place it was of interest as a challenge to the Act passed a few days previously.

The Government, as in all succeeding strikes on a considerable scale, found themselves in a dilemma. They had passed into law an Act making strikes illegal, which contained power by Proclamation to cover this strike. If they failed to exercise the powers thus vested in them, there was a danger that the Act on this point would become a dead letter. On the other hand, a trial of strength, however valuable if the Government succeeded, might lead to a prolonged idleness in the pits. The War could not be fought without coal, nor could munitions be produced. The position was in the last degree difficult and anxious.

The negotiations on behalf of the Government up to the 7th of July had been conducted by the Board of Trade—first by the Chief Industrial Commissioner and then by the President (Mr. Walter Runciman). When at that date it appeared that a deadlock had been reached, the Minister of Munitions was asked whether, if the unfortunate necessity arose, he would be prepared to advise His Majesty to issue a Proclamation applying the prohibition of the Act to the difference in the South Wales coal-field. The reply was the issue of the necessary Proclamation on the 13th of July, which was widely posted in South Wales in the succeeding days. Preparations were hurried on for the holding of a General Munitions Tribunal. The strike, however, continued, and the Government decided to negotiate rather than to use force.

On the 20th of July the Minister of Munitions and the President of the Board of Trade went to Cardiff and settled the strike on the following day on terms satisfactory to the miners.

In certain quarters this result was loudly proclaimed as the death-knell of the compulsory arbitration sections of the Act, but these outcries were, it will be seen, premature. On the other hand, the actual events did show with remarkable clarity certain outstanding features which were always present in war-time trade disputes. In the first place there was the anxious position of the Government, hovering between the danger of concession which might encourage further strikes and of resistance which might prolong the strike of the moment. There was next the attitude of the public, if it may be supposed that this was fairly reflected by the Press. The demand for a firm handling of the situation before the outbreak of the strike gave way almost immediately to recriminations against the Government for delay in settlement after the strike had once started. The Press, in other words, found themselves in the same dilemma as the Government. Thirdly, it was demonstrated that if a sufficiently large body of men were determined to break the law, they could do so with impunity, as long as public opinion was not strongly against them.

This strike, with the lessons it suggested, was succeeded at the end of August 1915 by a strike at the works of Messrs. Fairfield, and arose out of the dismissal of two shipwrights. It is discussed here because it had considerable consequences and throws much light on the movements which tended to make the administration of Part I of the Act difficult. The cause of the strike was the insertion, on the pass-out checks of the two men dismissed for loitering (the management's statement), of the words 'not attending to work'. It was believed by the men (though later denied by the management) that it was intended to enter these words on the leaving certificates which the men must have, if they were to find further employment within six weeks, in accordance with the provisions of section 7 of the Munitions of War Act, 1915. Failing to obtain satisfactory assurances from the management, the shipwrights at Messrs. Fairfield struck in a body. The Ministry of Munitions were informed on the 29th of August, and complaints were immediately issued against the ringleaders, who were

prosecuted before a General Munitions Tribunal, presided over by Sheriff Fyfe, on the 3rd of September. Seventeen men were brought before the Tribunal, and the prosecution asked for the maximum penalty of £25 to be inflicted (viz. £5 for each day of actual striking). The sheriff took a serious view of the matter. He fined each of the accused £10 with 21 days to pay, and in the event of failure to pay 30 days' imprisonment.

This, it will be seen, was a sharp corrective to those who took the view that events in South Wales had in effect repealed the strike sections of the Munitions Acts. But the matter did not rest there. Work was resumed, but the question of the payment of the fines was not yet settled. On the 23rd of September 14 of the men concerned paid their fines. Three refused, and were accordingly arrested and imprisoned.

This action, which followed inevitably on the verdict, caused a grave disturbance in the Clyde area. The weight of the restrictive provisions of the Munitions Act, particularly of the section dealing with leaving certificates, was beginning to make itself felt. The imprisonment of the three shipwrights lit a taper that shed a small but fierce light on dark and restless shapes.

The demand for the immediate release of the imprisoned men, together with a demand for the repeal or the drastic amendment of the Munitions Act, was insistently pressed. The Government met the position by appointing, on the 25th of October, a Commission composed of Lord Balfour of Burleigh and Mr. (now Sir) Lynden Macassey 'to inquire into the causes and circumstances of the apprehended differences affecting munition workers in the Clyde district'.¹ Their terms of reference contained the following passage: 'In the course of the inquiry it is probable that matters involving the working of some of the provisions of the Munitions Acts will be brought up. While not excluding such general evidence as appears necessary to throw light on the causes of the present unrest, you will be careful to avoid acting in any way as a Court of Appeal from Munitions Tribunals or reviewing the correctness of their decisions.'

The Commissioners thus appointed proceeded to work immediately. The case of the shipwrights was first brought to their

¹ See Appendix 7.

notice. Upon consideration, and after discussion with the Scottish Office and the Ministry of Munitions, they decided to take these men's evidence in jail, on the 15th of October. On the 21st they issued with remarkable promptitude an interim report. The effect of the report was to point out that the Commissioners had no power to interfere with the verdict of the Court, but that they had been impressed with certain aspects of the facts leading to the strike, and proposed to make recommendations to the Minister of Munitions on clearance or leaving certificates. Lord Balfour added, on his own responsibility, that he had addressed a personal letter to the Secretary for Scotland, but that, as it was not part of the Report, he could not make its terms public.

The men were dissatisfied with this result, and immediately withdrew from the Inquiry. Two days later a telegram was dispatched to the Minister of Munitions in the name of 97,500 workmen in the Clyde Valley asking, by inference, for the release of the three men within three days under threat of a stoppage. The reply was to invite a deputation of the leaders of the Union—central and local—to meet the Minister of Munitions and the Secretary of Scotland on the 26th of October. The meeting was held late at night. The Conference dissolved after midnight (after much grave language had been used) to enable the Trade Unions to repudiate the threat contained in the telegram. Next morning, when the meeting was resumed, it appeared that a suggestion had been made that somebody might pay the fines on behalf of the men. Somebody, not the Government, did, and the trouble was ended.

The strike deserves the space which is given to it, because, in addition to its almost melodramatic character, it had a special importance in the points which it brought to the surface. First of these was the fact that Part I of the Munitions Act was not a dead letter, and that fines could both be imposed and exacted. It raised at the same time, in an acute form, the question whether the trouble caused by the fines might not exceed in value the deterrent effect of their imposition. It was argued by some that there was nothing in what had happened to prevent its repetition. A total fine of £170 had been imposed, not a penny of which had been paid by the men involved, and in any case only 17 out of the large number of strikers concerned had been

tried. It was pointed out that the sentence, though nugatory as far as the individuals were concerned, except in respect of the three who had enjoyed the temporary notoriety of imprisonment, had by its repercussions disturbed output almost as much as a strike. And it was hinted openly by the opponents of the Government (and quite untruly) that in the end the Government had themselves paid the fines. As against this was to be set the facts that the law had been vindicated and that no strike had in fact occurred.

Next in importance was the flood of light that the strike let in on the working of the Munitions Acts. The detailed grievances explored by the Burleigh-Macassey Commission, relating as they do for the most part to section 7 (leaving certificates), are dealt with in Chapter XIII. But apart from details the Fairfield case showed that the mere existence of the Munitions Acts, however amended, must henceforward be reckoned as a permanent cause of industrial unrest. The workmen had begun to be conscious of the severe restriction of their liberty which the provisions of the Act entailed, and with the progress of the War that consciousness bit deeper and grew angry. Again in this case the shop stewards were prominent, along with the District United Trades Council, as against the regular leaders.¹ For the first time it began to be alleged that the Executives were bound by their position to respect the Munitions Acts. It therefore rested with the men in the locality, not so tied, to show the leaders the way. Finally it will be observed that the strike, or the threat of a strike, was the direct cause of the appointment of the Commission of Inquiry, the recommendations of which were embodied in an Amending Act. There were those among the Labour leaders who were moved to point out that when they asked for amendments by constitutional methods nothing was done, whereas a strike, or a threat of a strike, was electric in its effect. They did not complain, it need hardly be said, of the amendments, but they permitted themselves to wonder why it should require a breach of the law to procure its amendment.

The next of our four typical strikes was the Clyde dilution

¹ The Trades Councils were Committees composed of the local officials of various Unions. In character and attitude, however, they leaned rather to the shop stewards than to the Central Executives.

strike, which began within a few weeks of the conclusion of the Fairfield trouble. The early history of the attempt and failure to introduce dilution at the works of Messrs. Lang at Paisley need not be dealt with here, as it is part of the account of the progress of dilution discussed later. But the strike itself, which had its origin in the struggle at Lang's, presents certain points of general interest which cannot be ignored in the history of handling trade disputes during the War.

Mr. Lloyd George, on the urgent representations of Mr. Henderson and other Labour leaders, visited Glasgow on the 28th of December to meet the workers themselves and explain dilution to them. He visited Parkhead Forge, where David Kirkwood was convener of the shop stewards. There he had engaged in open argument with Kirkwood. On the next day he had met and discussed the position with the Clyde Workers' Committee—a Committee of shop stewards formed to control the strike of February 1915. They had presented a demand for the complete nationalization of industry with an effective share in control for the workers as the only way of securing output and dilution. They had made their position in respect of their head officials quite clear. 'We hold the view', they had explained in their journal *The Worker*, 'that the Trade Union officials are the servants, not the masters, of the rank and file, and that they require some pressure at times to move them in the path the rank and file desire them to tread. The Clyde Workers' Committee exists for the purpose of preventing the rank and file efforts being dissipated through lack of organization.' On Christmas morning Mr. Lloyd George had addressed a delegate meeting of 3,000 men at St. Andrew's Hall, and had, in spite of interruption, put the case for dilution with profound effect—one phrase of which must have remained in the minds of his hearers long after the meeting had broken up in disorder. 'You cannot', he had said in his peroration—urging the small importance of a Trade Union rule as against the life of a nation—'You cannot haggle with an earthquake'.

None the less some haggling was attempted. On the 29th of December there was a stay-in strike¹ of 400 men in the gun-

¹ i. e. a strike in which the men come to the shops but do not work.

mounting works of Messrs. Beardmore's at Dalmuir. The strike arose from the dismissal of a shop steward, but had its real origin in the general state of ferment into which the workmen in the Clyde Valley had now been thrown. Twenty-eight men were brought before the General Munitions Tribunal on the 8th January 1916, and were fined £5 each. The Ministry thereafter proposed the possibility of the remission of the fine if the men would express regret. This the men refused, and the fines were never paid nor pressed for. In the meantime the situation had been still further complicated by the seizure of *Forward*¹—the organ of the Glasgow shop stewards—under Regulation 51 of the Defence of the Realm Regulations, for publishing an account of the St. Andrew's Hall meeting in a way which was likely to interfere with the introduction of dilution and thus to impede the production of munitions.

When all these facts are considered it may well be supposed that the prospects of an early introduction of dilution into the workshops on the Clyde were not encouraging. But it was essential that the scheme should be pressed at the point where it was most bitterly opposed. To leave the Clyde untouched would be to confess failure; to succeed with the Clyde might mean general success. Accordingly, on the 22nd of January, the Clyde Dilution Commission—consisting of Sir Lynden Macassey (Chairman), Sir Thomas Munro, and Mr. Isaac Mitchell were appointed to deal with the position locally. Their work as Dilution Commissioners is described elsewhere. Here their handling of trade disputes as representatives of the Government need only concern us. Their arrival in Glasgow almost synchronized with a strike of some 2,000 men in the principal munitions works. The strike was the result of the seizure of *The Worker* for publishing an article advocating a policy of what was regarded as sabotage. The business manager of the Press which presented *The Worker*, W. Gallacher, Chairman of the Clyde Workers' Committee, and J. W. Muir, editor of *The Worker*, were arrested under Article 42 of the Defence of the Realm Regulations. The strike in protest against these arrests was

¹ *The Worker* has been so described above. The newspaper published by the stewards had the habit of altering its name from time to time.

of brief duration, nor was it renewed when, on the 14th of April, Gallacher and Muir at Edinburgh were each sentenced to one year's imprisonment and a third man to three months. At the same time John Maclean was sentenced to three years' penal servitude for making incendiary speeches.

But this was not the end of the trouble. Feeling in the Clyde Valley still ran high, and it was only a question of time till some ground for a stoppage manifested itself. This was found at the Park-head forge works on the 17th of March, when 2,000 men engaged on heavy howitzer and naval ordnance struck work to enforce the demand that Kirkwood—the convener of the shop stewards—should have the right to enter any department of the works during working hours to see the progress of dilution. The strike spread through various works on the Clyde, affecting not large numbers of men so much as men engaged in extremely vital parts of the munitions programme. The Executive Council of the A.S.E., at the request of Sir Lynden Macassey, immediately repudiated the strike, but it continued.

It was felt that the case was not one which could be suitably dealt with by the comparatively mild penalties imposed by the Munitions Acts alone. On the night of the 29th March action was taken under Regulation 14 of the Defence of the Realm Regulations, as a result of which the principal members of the Clyde Workers' Committee, six in all, were deported from the Clyde area and sent to various parts of the country. In addition to this action, 30 of the strikers were fined by the General Munitions Tribunal £5 each, the amount to be deducted at the rate of £1 per week from their wages. On the 30th of March a resolution of the Council of the Federated Shipbuilding and Engineering Trades was passed deeply deplored the stoppages, and in the following week the strikes came to an end.

The Clyde strikes were over in the spring of 1916, and during the rest of the year the statistics show that, so far as actual stoppages are proof, the industrial situation was far more steady. It is possible to attribute this temporary quiet to a variety of causes. Those who took the view that the Munitions of War Act had operated harshly, particularly in the leaving certificate sections, would argue that the modification of these sections had

much to do with the improvement. Others, who believed that firmness in the handling of all problems, including that of labour, was the need of the hour, attributed peace to the effect of the stern measures on the Clyde. Others again, who took an optimistic view of military operations during that year, conceived that this view was generally shared and had therefore improved tempers. Still a fourth view was that the advanced party—the rank and file or shop steward movement—were patiently gathering their forces and waiting for the psychological moment to intervene again.

Whether there was truth in any or all of these explanations remains a matter for conjecture. But two things are not open to doubt. In the first place the machine of compulsory arbitration, combined with a reasonable use of the munitions tribunal, did, under the stimulus of war conditions, go a long way to keep the industrial position steady in respect of purely industrial matters. During the remainder of 1916 no national question directly or principally affecting labour forced itself to the front. The questions that did arise were, in the large majority, questions arising out of wages and working conditions, and with these, it can be safely asserted, during war time compulsory arbitration was able to cope. Nor must it be forgotten that while in war time compulsory arbitration forces the employer to pay and the workman to accept a wage, there is a second check upon the employer who is producing munitions. He is working directly for the State, and the State can, if he refuses to act in what appears in the public interest reasonably, withdraw his contract. On the other hand it may often happen, in the same circumstances, that the employer is the less disinclined to disregard the instructions of the State, because he can fairly expect, if he is required by the State as purchaser of his goods to pay higher wages or work shorter hours, that he will necessarily be recouped for the additional expenditure. The second reason that appears unquestionable is that 1916 was in a sense a year of hope. To the succession of bulletins announcing the heroic retention of a hardly-pressed line succeeded, on the 1st June 1916, the dispatch beginning 'I attacked at dawn', and ending 'The day goes well for England and France'. Though the later summer

cheated the hopes thus excited, there had undoubtedly been a moment when it had almost appeared that after all the thing might end. But even more important than hope was the fact that the recruiting machine was working through the Trade Card Scheme¹ and in consequence pressing less heavily for the moment on the ranks of the skilled men. There was thus a breathing-space between the imposition of the principle of compulsory service and the withdrawal of the Trade Card Scheme, in which in consequence questions affecting labour nationally did not arise.

But he would have been a very short-sighted observer of events who assumed that if victory did not come in 1917 that year also would be free from industrial unrest. It became increasingly clear, as 1916 continued, that a new and far more severe demand would have to be made on the man-power of the nation. The casualty lists and the recruiting figures were proving conclusively that the Trade Card Scheme was not meeting the situation. It was becoming obvious, therefore, during the autumn and winter of 1916, that not only would the Trade Card Scheme have to go, but that, in the interests of recruiting, dilution might have to be introduced in private work in order to release men for the Army. In the meantime the cumulative causes that undermined tranquillity continued remorselessly. The cost of living was rising rapidly, and the Ministry of Food had not yet achieved that remarkable system of compulsory rationing which led to an equal and steady distribution of supplies. High prices had to be paid for indifferent articles, and increasingly the workmen began to find that food of the kind to which they were accustomed was not to be had at all. Moreover, in a dozen other directions war conditions pressed heavily. Victory was no longer on the immediate horizon, and it was in an atmosphere of depression that men were brooding on all the invasions of personal freedom that the War involved. The Munitions Act, and particularly the leaving certificate provisions, remained in operation to check freedom of movement, to drive home dilution, and to control wages and behaviour. Recreation was severely limited, and the restrictions upon the consumption of liquor led to much

¹ See Chapter IV.

dissatisfaction. No houses were being built, and overcrowding was becoming acute, particularly in the neighbourhood of the great munitions factories.

At every point in the workman's life the ugly shape of war intruded, and it was almost inevitable, therefore, that serious trouble would result when an adequate national cause presented itself. In 1917 the cause was afforded by the simultaneous abolition of the Trade Card Scheme and the introduction of a Bill to effect dilution in private work. The strike which ensued, beginning on the 29th April 1917, was the most considerable engineering strike of the War. But, except in point of the numbers of men affected, it did not differ in principle or in the methods adopted to meet it from the Clyde strikes. It was in essence, and indeed without concealment, a political and not an industrial strike. It was defined by the Secretary of the Manchester Joint Engineering Shop Stewards' Committee as a strike against (1) dilution on private work, (2) withdrawal of the trade cards, and (3) the Munitions Acts. In the second place it was a workers' and not a leaders' movement. Like the Clyde strikes it was repudiated by the Executives, and was not terminated till the local leaders permitted themselves to be brought into conference under the aegis of the Central Executive of the A.S.E.¹ On the side of the Government it was realized from the outset that the strike could not be handled as an industrial trouble and that the Munitions Code was not really applicable. As in the case of the Clyde strike, the Defence of the Realm Regulations were invoked, and warrants for the arrest of the leaders issued. But again, as in the case of the Clyde strike, the Government took the view that the solution depended on the general public sentiment. If the nation (including the engineers) meant to win the War, public opinion, and in the last resort public opinion alone, would settle the strike. There was no doubt that the nation meant to win the War, but public opinion, as reflected in the Press, was erratic. It tended to reprobate equally the men who had ceased work and the Government administration that had exacerbated the men. It was, therefore, impossible for the Government to proceed merely by a show of firmness. Conference and con-

¹ Amalgamated Society of Engineers.

cession were inevitable, and the strike was settled by Dr. Addison (then Minister of Munitions) some ten days later at a Conference with the A.S.E., who brought with them the unofficial strike Committee. The result of the settlement was to confirm the withdrawal of the Trade Card Scheme, but the Munitions of War Bill was suspended, and in fact dilution in private work was never legalized.

The dimensions of the strike and the public alarm which it engendered had impressed the Government deeply. It was widely suggested that it was produced not by any deep-seated causes, but by maladministration, notably of the Labour Department of the Ministry of Munitions. The doctrine was widely advanced that disturbances of this kind would be avoided if employers and employed were allowed to settle their own affairs without Government interference. Indeed from this time forward the volume of complaint against what was called the dead hand of Government control continued to grow, regardless of any facts which from time to time appeared to show that the causes of industrial unrest must be sought elsewhere than in bureaucratic failure.

In order to test the matter the Prime Minister appointed, on the 12th June 1917, a series of Commissions for various parts of the country, under the general Chairmanship of the Rt. Hon. G. N. Barnes, M.P., to inquire into and report upon industrial unrest and to make recommendations to the Government at the earliest practicable date. All the reports were in by the middle of July, and on the 17th of July Mr. Barnes presented a summary of the Reports of the Commissioners. In general the effect of the Reports was to show that unrest was due to causes inherent in war conditions rather than to Government maladministration. Before setting out the causes, however, Mr. Barnes pronounced as follows on the fundamental question which must have been exercising the Government as it certainly was the public mind : 'A comparison of the Reports shows that there is a strong feeling of patriotism on the part of employers and employed throughout the country, and they are determined to help the State in the present crisis. Feelings of a revolutionary character are not entertained by the bulk of the men. On the contrary the majority of the workmen are sensible of the national difficulties, especially

in the period of trial and stress through which we are now passing.' This weighty paragraph was the considered reply of the Commissioners, after earnest inquiry, to the suggestion entertained in some quarters that this strike was part of a conspiracy, possibly supported from enemy sources, to overthrow the State and end the War.

But, if the causes were not revolutionary in essence, they were cogent and not easy to remove. Fourteen main causes were selected from the eight Reports by Mr. Barnes, of which only two or three could be directly ascribed to failure on the part of the Government. The majority were those already indicated in this chapter, and had for a long time been present to the mind of the Government :

1. High food prices, and unequal distribution of food.
2. Restriction of personal freedom and in particular the effects of the Munitions of War Acts . . . *In many cases the skilled man's wage is less than the wage of the unskilled.*
3. Lack of confidence in the Government—Due to the surrender of Trade Union customs and the feeling that promises as regards their restoration will not be kept.
4. Delay in settlement of disputes.
5. Operation of the Military Service Acts.
6. Lack of housing in certain areas.
7. Restrictions on liquor.
8. Industrial fatigue.
9. Lack of proper organization among Trade Unions.
10. Lack of communal sense—particularly noticeable in South Wales.
11. Inconsiderate treatment of women, whose wages are sometimes as low as 13s.
12. Delay in granting pensions to soldiers.
13. Raising the limit of income tax exemption.
14. Workmen's Compensation Act—weekly maximum of £1 inadequate.

To meet these difficulties the following were summarized as the recommendations of the Commissioners :

1. Immediate reduction in price of food, increase being borne to some extent by Government, and better distribution.
2. Industrial Councils. Principle of Whitley Report should be adopted : each trade to have constitution.
3. Changes with a view to further increase of output should be made subject to authoritative Government statement.
4. Labour should take part in the affairs of the community rather as partners than as servants.
5. The greatest publicity should be given to the abolition of leaving certificates.
6. The Government should make a statement as to the variation of pledges already given.
7. The £1 maximum under the Workmen's Compensation Act should be raised.
8. Announcements should be made of policy as regards housing.
9. A system should be inaugurated whereby skilled supervisors and others on day rates should receive a bonus.
10. Closer contact should be set up between employer and employed.
11. Pensions Committees should have a larger discretion in their treatment of men discharged from the Army.
12. Agricultural wages in the Western Area, now as low as 14s. to 17s. a week, should be raised to 25s. a week.
13. Coloured labour should be employed in the ports.
14. A higher taxation of wealth was urged by one Commissioner.

In addition :

- (a) The recruiting system is universally regarded as requiring the most careful handling.
- (b) In some areas an increase in the supplies of alcoholic liquor is demanded.
- (c) The co-ordination of Government Departments dealing with labour is reported as an urgent matter : and an appeal for increase of publicity and fuller explanation of Government proposals is made in several of the Reports. Further it is recommended that when an agreement has been drawn up between representatives of Employers' Federations and Trade Unions that agreement should be binding in all the trades concerned. It is also represented that local arbitration tribunals for the settlement of local disputes on the spot could with advantage be set up.

It will be observed that the recommendations, though numerous, are for the most part very general in character, and in one or two instances rather pious aspirations than indications of the policy to be pursued. They suffer, moreover, from a certain lack of cohesion, and tend to make inroads into a large variety of subjects without necessarily giving the impression that the matters dealt with have been profoundly explored. But this was in large measure due to the circumstances in which the Commissions worked. For the elucidation of a problem as difficult perhaps as any ever offered to a Commission of Inquiry they were given four weeks. It was not conceivable that the problem could be adequately examined in the time. Moreover, all the eight Commissions were working simultaneously, and though they were directed to make local inquiries, in fact most of their problems were national in character. Hence it was not possible for all to get first-hand evidence from the central authorities—whether of Government, of Employers' Associations, or of Trade Unions. The Reports, therefore, tend to represent the first vivid impressions of men well qualified by experience to form useful impressions. But even so, time was not available in which the various Commissions could meet and present a joint report. It was therefore necessary for the general Chairman to extract from all these impressions the general sense, and present it not as a co-ordinated whole but merely as a summary to the Government of the day.

But the Reports were of considerable value. It is true that they did not directly face or at least answer the fundamental question. 'Is Government interference in labour matters during war necessary? And if so is the principle of compulsory arbitration and prohibition of strikes the right one?' But indirectly they may be said to have assumed this as inevitable, and to have addressed themselves rather to suggested modifications in the less vital parts of the Munitions Code, as well as to the remedy of many matters arising out of war conditions themselves rather than out of Government action. It may perhaps even be said that in effect the Commissions took the view that Government interference was inevitable, and that, on the whole, its method, particularly in the matter of the Munitions Code, was justified. For the popular mind, basing itself on Press

criticism, might well have expected a wholesale condemnation of Government labour administration. In fact the Commissioners called attention only to unequal distribution of food, certain features of the Munitions Acts (notably the leaving certificate section), delay in settling disputes, and certain minor questions as to Workmen's Compensation Act and Pensions among the points which could be directly brought home to Government administration. Generally one is entitled to read the Reports as meaning that the immense discouragements and disarrangements of war necessarily prepare the ground for industrial unrest, that it is almost inevitable that as one restriction after another is imposed resentment will follow, and that fundamentally the security of the Commonwealth in these conditions rests partly in the reasonable readiness of the Government to appreciate and remedy remediable grievances, and partly in the will of the nation, in spite of fatigue, disappointment, and depression, to see the thing through. But nothing emerged challenging the fundamental applicability of the principles of compulsory arbitration and prohibition of strikes to war conditions.

The recommendations were not ignored. In some cases the action recommended had already been taken. In others it would have been taken if the recommendations had never been made, but in a few cases action was directly based on what the Commissions recommended. As examples, under the first head the Government were already making their arrangements for rationing before the Reports were received ; statements had already been made with the widest possible publicity as to the Government's attitude on pledges ; and by virtue of the constant consultation of Labour the Government had publicly and constantly recognized the all-important position of labour in the State. Under the second head was the action taken by the Government in adopting and putting into active practice the Report of the Whitley Committee upon Relations of Employers and Employed. The Government gave the utmost encouragement to the establishment of Joint Councils in suitable trades. Finally, as examples of action following directly on the Commissioners' Report, there may be cited the abolition of the leaving certificate and the granting of the $12\frac{1}{2}$ per cent. bonus on wages later in the year.

But if the Commissions were right in their main diagnosis, it was plain that national goodwill and nothing else could in fact remedy the position. It was equally plain that, while prudence and ingenuity on the part of the Government might mitigate, nothing could entirely remove the disorder except Peace—and a peace whose other and more lovely name was Utopia. In spite of alterations here and amendments there, it was certain that nothing which the Commissions had recommended could avert further trouble from time to time if the War were unduly prolonged. In fact in November 1917, although the leaving certificates had in the meantime been abolished, a serious strike broke out in Coventry on the subject of the pay of the skilled men as compared with the unskilled, and on the question of the recognition of shop stewards. From the point of view of munitions production the strike could not have happened at worse time or place. The programme for the 1918 campaign was being pushed forward vigorously, and Coventry was a pivotal point. The strike, unusually stubborn in character, was only settled after prolonged conference between the parties and the Government, in which General Smuts played a leading part. It was no different in character from the other strikes that have been described in this chapter. It was of local origin, and though it had a superficially industrial colour, its causes were neither local nor industrial, but the broader causes to which the Reports of the Commissions had called the attention of those who were not already aware of them. It became plain at Coventry that the working population were profoundly uneasy, and the only comfort that close observers of the general situation could find was in the belief that in the long run the Briton was more likely to endure these inconveniences and disappointments without collapse than his enemy. All that was possible for the Government was to continue the system of rapid arbitration awards, whether by the Committee on Production or the Women's Wages Tribunals, under the Munitions of War Acts, and to continue the work of local conciliation carried out with devotion and constant success by the investigation officers of the Ministry of Munitions.

The figures for 1918 indicate that the unrest was becoming more and more accentuated with the progress of the War. But

it is permissible to draw from the actual incidence of the strikes the conclusion that no industrial discontent, however deep-seated, obscured the workmen's intention to win the War. The large and formidable munitions strike at Coventry did not occur till July. It was true that small guerilla strikes, notably in the wood-working trades, were on the increase during the earlier months of the War. But it is true to say that during the black weeks following the German offensive at the end of March 1918, labour settled down with a grim sigh to continuous effort. It is perhaps merely a coincidence, but at any rate it is the fact that the Coventry trouble did not start till after the counter-offensive of Marshal Foch was well on its way.

In one respect the Coventry strike was unique. For the first time the Government definitely informed strikers that in the event of their failure to resume work at a specified date, they would be liable to be taken for compulsory service. This was in effect, or might have been so regarded, industrial compulsion. It was a course that had been frequently urged on the Government, and as frequently rejected because of the risk involved. Now at the supreme crisis of the War Mr. Winston Churchill, then Minister of Munitions, put this grave matter to the test. A Proclamation was issued, steps for calling men to the Colours were taken, and on the appointed day there was a general resumption of work. It is fortunate that no strike of sufficient importance occurred before the Armistice to render the use of the Military Service Acts necessary and to test whether the result achieved on one occasion would be repeated.

Once again the existence of industrial unrest led the Government to appoint a Commission of Inquiry. This Committee—known as the Committee on Labour Embargoes—sat under the Chairmanship of Mr. Justice McCardie. It included among the official representatives Sir Robert Horne, in charge of Admiralty Labour Policy; Sir Stephenson Kent, Member of Council at the Ministry of Munitions for Labour; and Sir David Shackleton, Permanent Secretary of the Ministry of Labour. Employers and employed were equally strongly represented, and in fact no Committee better fitted to carry out its task could have been constituted. The terms of reference of the Committee were:

1. To investigate and report on the labour conditions which have rendered the embargo necessary and to advise upon the administration of the scheme.
2. To consider and report as to what further measures should be adopted, in view of these conditions, to maintain and where necessary increase the output of munitions, due regard being given to the public interest, in the most effective and economical use of labour, money, and material.

It should be explained, in the first place, that what was called the 'embargo' scheme¹ was a scheme whereby firms were directed by the Ministry of Munitions to limit the number of their skilled employees to a cadre fixed by the Ministry. The object was to utilize the supply of skilled men to the fullest possible extent. The scheme was, however, misunderstood as an attempt to re-introduce the leaving certificate provisions of the Munitions Acts by a side-wind, and was resisted accordingly.¹

The nature of the grievance is not important, because it is perhaps not unreasonable to suppose that, in the uneasy state of public feeling, if this cause had not existed another would have been found. What, however, is of interest from our point of view is the considered judgement of a very competent tribunal on the subject that this chapter has been considering, namely how strikes and lock-outs can be prevented during war time. The Committee presented two Reports,² the first in September 1918, the second after the Armistice in December 1918. The first Report limited itself to approving the principle of the embargo and to recommending more effective means of consultation with the interests involved. It mentioned, however, four points which were tending to provoke unrest :

1. That Government action for the purpose of redeeming the pledges given with regard to the restoration of pre-war conditions has been unduly delayed.
2. That a striking difference exists in many cases between the earnings of certain sections of skilled time workers and those men and women employed on systems of payment by results who entered their occupations since the beginning of the War as dilutees.

¹ See also Chapter XII.

² See Appendix 8 for text of First Reports.

3. That the conditions laid down in the Munitions Acts and Orders thereunder with respect to women's wages have not been fully observed.
4. Complaints were also made with respect to recruitment and the utilization in the Army of skilled men.

One of these matters had been taken out of their hands and another had become a matter of academic interest when the Committee presented its second Report. A Committee, under the Chairmanship of Mr. Justice Atkin, had been appointed on the 30th of August 'To investigate and report as to the relations which should be maintained between the wages of women and men, having regard to the interests of both, as well as of their work. The recommendations should have in view the necessity of output during the War and the progress and well-being of industry in the future.' The question of women's wages, if it was a contributory cause of unrest, was a matter no longer for the McCardie Committee. The question of the utilization in the Army of skilled men was obviously no longer of any but historical importance, but the Committee recorded their view that 'the matter was one which had caused a serious measure of unrest and that if the War had continued it would have called for prompt and thorough investigation'.

To the other two questions the Committee gave serious attention, though in respect of the restoration of pre-war conditions the Government had again rather anticipated its work by asking for the advice of the Trade Unions and the employers as to the measures necessary to meet the admitted pledges. The Committee pointed out, however, that legislation in itself was not sufficient, and that the 'satisfactory carrying out of the restoration pledges must ultimately depend upon the breadth of view, the good feeling, and the tact with which the numerous difficulties of the problem are discussed and settled by the workmen and employers concerned'. On the subject of piece-work earnings the findings of the Committee were at once frank and illuminating. It will be remembered that the Commissions of 1917 had called attention to this grievance and recommended the granting of a bonus to remedy it. It will be remembered further that directly as a result of that recommendation the 12½ per cent. bonus was granted.

It is further the fact that the granting of the bonus, whatever other advantages it may have had, left the grievance exactly where it was. A year later, writing when the heat of the 12½ per cent. controversy had abated, and when the immediate emotions evoked by war were being translated into those evoked by an Armistice, the Committee said :

The sense of unfairness to the skilled man resulting from the above facts has been felt by many employers, and we ourselves realize it fully. But throughout the whole of the inquiry before us no practical scheme was suggested whereby the inequality could be cured. To reduce the earnings of the piece workers would have involved a breach of the Government's undertakings. To raise the day rates of the skilled work so as to reach the standard represented by the piece-work earnings of many dilutees was found to be wholly impracticable. Many able witnesses who have appeared before us have frankly admitted that the problem was insoluble. We agree with them. It springs from the special pledges and the abnormal circumstances of the War.

That observation applied only to the comparatively limited question of the skilled day worker as compared with the semi-skilled piece worker; but it might not unfairly be suggested that in the minds of the Committee it had a far wider application, indeed applied to the whole problem of labour regulation during war time. The Committee examine one point after another and find that it has an origin either in the emotion or the necessity dictated by the war emergency of the moment. Problem after problem is insoluble and is only solved by being temporarily obscured by a greater. But conscious of this enormous complexity, when war with an indifferent gesture lets all the cats out of all the bags and into one another's bags in addition, the Committee were conscious of the fundamental problem of Government interference in war time. Upon this their judgement is no less courageous than upon the last point. They head this passage in their Report :

The conscriptive effect of the Munitions Acts and Orders on labour, and their limitation in the freedom of workers with respect to employment.

And they say :

As to this the Committee realize the force of feeling held by many

men on this point. We think, however, that the position created by the War and the fact that the Munitions Acts were passed after full consultation with organized Labour and with the full approval of the community are not fully recognized.

At the commencement of the War the Government had two courses open to it: first the bold but logical course of general conscription, both combatant and industrial; or, second, combatant conscription with a limited measure of industrial regulation. . . .

The second course was adopted. A large measure of freedom was left to the worker, and such a degree only of regulation was made as was necessarily required by the national interest.

That is an interesting note upon which to end the present chapter. A Committee appointed to inquire into the cause of a particular strike, and a Committee conspicuously qualified for its task, after patient and thorough investigation comes to the conclusion that the Munitions Code 'left a considerable measure of freedom' and contained 'such a degree of regulation only as was necessarily required by the national interest'. It appears, therefore, that even if abolition of strikes is a limitation of freedom, during war time, in the opinion of the Committee, it is a limitation required in the interest of the State. No positive view is expressed upon the extent to which compulsory arbitration helped to steady the industrial position, nor upon the machinery of conciliation maintained by the Ministry of Munitions. But in one of the final paragraphs of the Report two or three weeks after the Armistice the Committee think it desirable to remind the country, apropos of criticisms of the Ministry, that 'The fact should not be overlooked that the Ministry of Munitions has achieved the great task of supplying the munitions needed for this country and its Allies'.

The task, whose achievement the Committee invited the country not to overlook, was carried out, at any rate on the labour side, upon the basis of compulsory arbitration and conciliation both directed to war-time conditions. It will be for the reader to decide for himself whether these principles were justified. In coming to his conclusion he should not overlook—to use the calm word of the McCardie Report—that the days of work lost in the years respectively preceding and following upon the cessation of compulsory arbitration during war conditions were 11,631,000 and 34,903,000.

CHAPTER IX

THE TREASURY AGREEMENT AND DILUTION

THE first object of the Munitions Code was to make work continuous. This was attempted by prohibition of strikes and the introduction of compulsory arbitration. The second was, assuming continuous work, to get the greatest possible result from the limited supply of skilled labour left. There were various ways in which this could be done. The first was to add to the numbers of skilled men large reinforcements of unskilled or lesser skilled persons whose work they would in a sense supervise. The second was to see that while the men worked they worked diligently, and the third was to see that they were available at the spot where they were required, and when they were required. This chapter deals only with the first aspect of Labour Regulation, and an account of how it was handled is an account of the Treasury Agreement and of the progress of dilution.

The sequence of events which led up to the signature of the Treasury Agreement in March 1915 has been already described in other chapters. It has been explained that the increasing demands of the Army, simultaneously for munitions and for the men alone competent to produce them, had produced a serious shortage of skilled labour. It was plain from the end of 1914 that, if Trade Union restrictions in the engineering and shipbuilding trades were relaxed, the value of the skilled labour which still remained could be very considerably increased. In order to effect this increase a series of Conferences in the shipbuilding and engineering trades were held, largely with the object of solving this very serious question. These Conferences had been disappointing so far as the engineering trade was concerned and complete failures in the shipbuilding trade. In both cases a succession of Conferences was held between employers and employed without the intervention of the Government, though at their request. The shipbuilding trade started its Conferences at York on the 3rd November 1914, between the Shipbuilding

Employers' Federation, the Standing Committee of the Shipbuilding Trade Unions, and the Boilermakers' Society. The employers asked for a general relaxation of Trade Union rules, the Trade Unions replied by an offer to attempt to find the men required. No further progress was made, but in the meantime local Conferences at Glasgow and Newcastle were arranged with equally discouraging results. Conferences and negotiations continued till the middle of January, and still no real progress towards agreement had been made. At this point it was decided by the Admiralty, who had been anxiously watching events, to call in the Board of Trade. That Department were at the same time approached in respect of relaxation of restrictions in the engineering trade where a similar deadlock had been reached.

The Board of Trade realized from the outset that the matter must be handled delicately. A very considerable demand was being made of the workmen, and if the Government were to succeed where private negotiations had failed, it could only do so by proving that its intervention was solely due to the desperate national need, and in no way involved taking sides in an industrial controversy on demarcation. The Board of Trade were conscious that the workmen would expect, and were entitled to, some return for the surrender of their privileges, and that in any event they would have to be offered at the least a firm guarantee that the relaxation was for the period of the War only, and would be withdrawn immediately upon the cessation of hostilities. The Board occupied themselves accordingly in devising an appropriate general policy, but preferred, before intervening directly, to allow employers and employed to make a further unassisted attempt at settlement at Sheffield on the 13th of January. This, like preceding conferences, was a failure, and at this point (the end of January 1915) Sir G. Askwith, Chief Industrial Commissioner, was instructed by the Board of Trade to enter into negotiations with the two sides in both of the trades.

Sir George Askwith, after a week spent in interviewing the persons principally concerned, expressed his view that settlement could come either by way of agreement between the parties on the basis of a firm guarantee of restoration, or by way of a direct appeal by members of the Government, who would put certain

definite proposals to the two sides. The first course was for the moment pursued, probably because it was decided not to play the highest card of all until it was certain that all the rest had failed to take the trick. In order to assist Sir G. Askwith in his work, representatives of the War Office and the Admiralty were appointed, on the 4th February 1915, by the Government to sit upon what was called the Committee on Production in Engineering and Shipbuilding Trades, with the following terms of reference :

To inquire and report forthwith, after consultation with the representatives of employers and workmen, as to the best steps to be taken to ensure that the productive power of the employees in engineering and shipbuilding establishments working for Government purposes shall be made fully available so as to meet the needs of the nation in the present emergency.

Though this Committee did not in fact reach a settlement to the difficult problem, their work was invaluable in preparing the way. They began by exploring and obtaining a solution of a comparatively minor, though by no means unimportant point, the employment of broken squads in the shipyards. They next devoted themselves to the relaxation of Trade Union restrictions in the manufacture of shells and fuses. Though they made no direct headway with the parties, they did lay down the governing principles which were embodied a few weeks later in the Treasury Agreement.

1. A provision that permanent rates of wages should not be prejudicially affected by war changes.
2. A provision aiming at a wide extension in the employment of female labour.
3. A provision for avoiding stoppage of work due to trade disputes by the institution of a system of what was practically compulsory arbitration.
4. A provision for guaranteeing the restoration of the practices surrendered owing to war necessity.

They added to this, in a later report, provisions for the removal of demarcation restrictions and for the wider utilization of semi-skilled or unskilled labour. Finally the Committee drew attention to the growing importance that was attached by Labour opinion to the unrestricted profits which, it was alleged, war contractors

were enjoying, and suggested the vital need that a promise of Government action in this matter should be an essential part of any bargain which might be struck.

While the position had thus been explored from every point of view, the employers and employed had not entirely abstained from negotiation. Nothing further had been done in the shipbuilding trades ; but in the engineering trade the very important agreement, known as the Shells and Fuses Agreement, was reached at Sheffield on the 5th of March. This Agreement which, though it preserved a separate existence, was in fact merged in the Treasury Agreement, had at any rate these two noticeable features. It was the first concrete example of an agreement on a considerable scale between the two sides on the question of relaxation of restrictions. To that extent the Agreement gave the whole of the negotiations a powerful impetus in the right direction. In the second place it supplemented and underlined the proposals of the Committee on Production. Armed with the proposals of that Committee, and with the Shells and Fuses Agreement, the Cabinet had a tolerably precise programme to lay before the Trade Unions in a Conference held at the Treasury on the 17th to 19th of March.

For by this time it was plain that the last card must be played. Much had been accomplished by the Committee on Production, but they were conscious that nothing short of the full authority of the Cabinet, speaking on behalf of the nation, could solve the difficulty. Accordingly letters were issued not to both sides, as had been suggested by the Committee on Production, but to the Trade Unions only, asking them

To consult with the Chancellor of the Exchequer and the President of the Board of Trade in certain matters of importance to labour arising out of the recent decision of the Government, embodied in the Defence of the Realm (Amendment) Act, to take further steps to organize the resources of the country to meet naval and military requirements.

To this Conference all the Unions who were directly concerned with the output on munitions were invited, including the Amalgamated Society of Engineers. The moment chosen for the Conference was the psychological one. All other avenues had been

patiently explored. Negotiation between the parties had yielded not so much results as an indication how results could be obtained. It remained only to persuade the Trade Union leaders, already more than half persuaded, that the Government were in desperate earnest both in their appeal to them and in their promise that labour should not be prejudiced after the War if they listened to the appeal. The sense of desperate earnestness was not wanting. The fate of the country still trembled in the balance. On all those present weighed a consciousness that they were dealing not only in words, not even in vast industrial negotiation, but in the life and death of a people. The Government spokesmen made the appeal with that background, and, though it meant the voluntary surrender of privileges won at the cost of a thousand struggles, Labour listened.

The actual text of the first agreement, and the second agreement reached a few days later separately with the Amalgamated Society of Engineers, is given in Appendices 9 and 10. The essential points in the first agreement were :

- (a) An agreement to forgo stoppages of work due to trade disputes during the War, with recourse to arbitration in their place either of
 - 1. The Committee on Production.
 - 2. A single arbitrator agreed upon by the parties or appointed by the Board of Trade.
 - 3. A Court of Arbitration upon which employers and labour were equally represented.
- (b) The establishment of a National Advisory Committee of Labour to facilitate the carrying out of the recommendations.
- (c) The relaxation of Trade Union practices subject to strict guarantees as to restoration and the safeguarding of the permanent standards of wages and the rights of Trade Unions.

The second agreement added to these principles :

- 1. An undertaking by the Government to restrict the profits of the firms in the works of which Trade Union conditions were relaxed.

2. A statement that the relaxation of practices related only to war work.
3. Minor provisions as to inventions and certification of Government work. And
4. A promise that the Government would lend definite assistance to secure the restoration of pre-war conditions varied as the result of the Agreement.

It will be observed that up to this point the word 'dilution' has not appeared, but that all the stress has been laid upon 'the removal of Trade Union restrictions'. The explanation of this is that 'dilution' is 'the removal of Trade Union restrictions' in practice. During the weary months while the ground was being cleared, the discussion raged round the general principle of removing restrictions. When towards the end of 1915 and the beginning of 1916 the process really began, the word 'dilution' described the condition of affairs, when to one skilled man was added one semi-skilled, unskilled, or a woman, with the result that the combination had not the old pre-war strength. But on the way from 'removal of restrictions' to 'dilution', it is as well to understand clearly what these restrictions were and how they could in practice be removed. These restrictions may be grouped under the following main headings :

- (a) Practices providing that only skilled men with certain definite qualifications could be permitted to carry out certain classes of work. These qualifications might involve such factors as apprenticeship to the trade, approved experience, and membership of a skilled Trade Union.
- (b) Practices which distinguished as between various classes of skilled men the classes of work peculiarly the province of each. Thus, for example, the work on the construction of a ship, to be performed respectively by ships' joiners and shipwrights, had formed the occasion of long and acute controversy, and had been settled with the greatest particularity.
- (c) The practices laying down the ratio of skilled to unskilled

and particularly with regard to the numbers of apprentices admissible to a trade.

- (d) The practices laying down the number of hours that might be worked as ordinary time, the amount of overtime and its terms, and the method of work. Under this head such questions as the 8-hour day and piece work and time work arose.
- (e) The practices requiring the employment only of Trade Unionists in certain classes of work.

These are merely headings to extensive chapters, but they are pregnant headings. They indicate that these 'restrictions' were in fact the map of its destiny that labour had plotted out, and when this is realized there will not be surprise perhaps that the surrender was slow, but that it should have been made at all. Labour had few possessions. Perhaps that was why they found it easy to offer them all up as their share in the War.

These were the restrictions. Actually to remove the restrictions and to effect dilution in practice involved four things :

- (a) Sub-division of processes.
- (b) The installation of specialized automatic machinery.
- (c) The up-grading of existing labour, and
- (d) The introduction of new labour.

It was not, in a word, enough to say to labour 'Abandon your practices'. Means had to be found by which the persons admitted to the work could perform it. A skilled man in carrying out a job of work in the engineering trade carried out a fairly considerable number of processes. Each process might be in itself comparatively simple, but the interrelation and correlation of them all involved a high degree of skill. It was useless for the skilled man to agree that an unskilled man should take this job—because he could not. What was necessary was that it should be divided into its component parts, and that fool-proof machines should be introduced, each capable of turning out a particular part and such as could be attended by semi-skilled or unskilled machine minders. This meant, therefore, that before 'removal of restrictions' could be translated into dilution not only the individual workman had to be persuaded, but the individual employer, and that even

when both had been persuaded, the persuasion would have little effect until the manufacture of machine-tools produced the necessary machines.

It is not surprising, therefore, that in the two months immediately following upon the signature of the Treasury Agreements little or no progress was made in the practical application of dilution. Indeed as late as the 9th of June a deputation of ship-builders informed the Board of Trade that the agreement of the 19th of March had ‘practically never been operative’. For this, it may be repeated, there were excellent reasons. Not only had both individual employers and workmen to be persuaded of the practicability and advisability of dilution, not only had the necessary machines to be provided, but above and behind all the other obstacles hung the cloud of employers’ profits. Indeed it began to be clear that the surrender of the men’s rights would only be clinched in practice if they could finally be convinced that it was a surrender to the nation and not the firm’s balance sheet.

The Government was not blind to the necessity of emphasizing by statutory action their direct responsibility for the production of munitions, and from this they progressed rapidly to facing the problem of excess profits. They took the two matters separately in the first instance, finding in the long run that they must be treated as two parts of a whole in the Munitions Acts. During the passage of the Defence of the Realm (Amendment) No. 2 Act it was suggested by various Government speakers in both Houses that one of the objects of the Act was to give the Government control over the great munitions firms. Indeed hints were thrown out that an organization for a central control of these firms was in contemplation, and it was in this connexion that Mr. Lloyd George announced his hope of discovering ‘a man of push and go’. But for the moment the practical difficulties of assuming any such direct control as was hinted at, however loose in character it might be, stayed the Government’s hand. For control, if it were to be more than a pretence from this point of view, implied interference with management. The munitions firms were entitled to ask of the Government who was better qualified than experts in the manufacture of munitions to control that manufacture. But from another point of view control without interfering with manage-

ment might become a very real thing, i. e. a financial control in the form of a drastic limitation of profits. It was to this object rather than to the more shadowy form of managerial control that the Government directed their serious attention. There could be no doubt of the strength of Labour feeling on the subject of profits, nor could it be reasonably doubted that the profits being made by armament firms were considerable. A heavy tax would therefore have the double advantage of proving to labour that not only were they called upon to make a sacrifice but of bringing in a large revenue to the Exchequer. Discussions proceeded between the Board of Trade and the principal firms concerned. A good deal of ground was covered, but it was not found possible to reach an agreement on a voluntary basis.

The summer of 1915 was now drawing on. It was no longer denied that there was a bitter shortage of munitions. Indeed, the need for the increase of munitions supply occupied almost the first place in the public mind. Two Committees were at work, side by side, upon this problem, but the progress achieved by them did not meet the situation. On the other hand, while they were probing the question of national factories, supplies of raw materials, and other vital issues, the Treasury Agreements were not fulfilling the high hopes formed at their signature, munitions factories were not being 'taken over', and profits were not being limited. Dilution in these circumstances bided its time, but its time was none the less coming.

It was obvious that some central authority must be created which could deal with all these diverse problems and attempt to solve them as part of a whole. The need for such an authority was recognized by the first Coalition Government, and one of its first acts was to create the Ministry of Munitions, a Department designed to become the central machine for supplying munitions and therefore, as this was an integral part of the supply, a machine for dealing with labour questions. In view of the supreme importance of labour considerations, almost the first act of the new Ministry of Munitions was the introduction into Parliament of the first Munitions of War Act, 1915, the provisions of which have been treated in Chapter VII.

So far as profits, control, and dilution were concerned, the Act

dealt with these three matters together in section 4. It will be plain, from an examination of the section, that it represents a considerable modification of the point of view which was in favour of commandeering munition factories, and of the point of view which was in favour of solving the difficulties on the side of labour by industrial compulsion. In both these aspects the Act provides a compromise which, judged by subsequent results, was appropriate to the situation in which the Government found itself. The Act recognizes that it is not sufficient merely to control profits, but that the establishments in which Labour is to be asked to surrender its rights must be establishments in a special sense under Government jurisdiction. At the same time the Act recognizes that interference with management in pursuance of the second purpose mentioned in the previous sentence might result in grave dislocation. The section, therefore, pursues a middle course. It begins by providing for the creation of what were known as 'controlled establishments'.¹ The phrase itself is of considerable interest. It may suggest at first sight that the establishment in question was under the complete jurisdiction of the Government. In fact this was not so. Throughout the section there is no direct interference with management, but certain definite obligations are laid upon the owners of controlled establishments which distinguish them from all other manufacturers. In fact, the controlled establishment was in a sense a legal fiction. The munition works certified by the Minister of Munitions as a controlled establishment remained in all matters of practical management and recruitment of labour identical with all other establishments. But in certain fundamental points, both advantageous and disadvantageous to the owner of the controlled establishment, it differed radically. The owner of the controlled establishment was limited in his profits.² His power to alter wages without permission of the Minister of Munitions was rigidly

¹ The number of establishments 'controlled' at the outset was 134. This number had risen to 2,422 on the 1st January 1916, and ultimately exceeded 6,000.

² The actual provisions of the Act as to the control of profits are not discussed, as from the Labour point of view the broad fact of restriction rather than the details are of interest. It may be noted that the provisions of the Act were criticized by Labour as too generous, and that they were ultimately superseded by the Excess Profits Duty.

restricted, and he was required to frame model rules of conduct for his workpeople. On the other hand, he was given the right, subject to suitable procedure, to have suspended in his establishment Trade Union restrictions which interfered with output, and to bring before the munitions tribunal workmen guilty of failing to maintain a proper standard of efficiency and not observing the rules of the establishment. In other words, the Act said to the employer 'Your profits shall be limited and your right of dealing with the wages of your workpeople shall be restricted. In exchange for this you shall have greater freedom in respect of the work upon which your men may be employed, and you shall have safeguards against slackness and misconduct.' To the workman the Act said 'The agreement into which your leaders entered at the Treasury in March will be given the force of law, and failure to comply with its provisions will thereupon become an offence. On the other hand, you will have the security of knowing that where you surrender those privileges you do this only in an establishment where the profits of your labour go in large measure to the State, and where the employer is in certain important matters directly under State control.'

It would be untrue to say that the passage of the Munitions Act in August immediately led to the introduction of dilution on a large scale. It did not. But by the creation of the controlled establishments and by the provision for limitation of profits it removed one of the principal arguments used by those opposed to dilution to persuade the individual workman to resist it. For not only could the workman no longer be told that he was abandoning his privileges for the private benefit of his employer, but he could no longer be persuaded as easily that, if he surrendered his privileges, there was no guarantee of their restoration, for the Act provided statutory guarantees in section 4. The Act was thus the culmination of a long period of negotiations which had commenced with the employers' and workers' conferences in November 1914, and in a sense clinched the agreement which had been reached with so much labour at the Treasury Conference. It was possible from this time forward seriously to initiate a dilution programme upon a definite statutory basis.

But it must not be supposed that the difficulties had by any

means been surmounted. During the month following the passing of the Act it became clear that neither by the movement of War Munitions Volunteers nor by release from the Colours could the immediate demands of the munition factories for skilled men be met. It was estimated at the end of August that 80,000 additional skilled workmen would be required ultimately to man the factories in course of construction, and that 35,000 of these would be required by the end of October. The position was discussed repeatedly with the National Advisory Committee which had been set up under the terms of the Treasury Agreement, but during this month no specific progress had been made. Indeed an early attempt at the firm of Messrs. Lang & Son at Johnstone to introduce women upon machine-tool work was resisted, and for the moment the women were not employed as proposed. During September the matter was pressed forward further, and Mr. Lloyd George made a strong appeal to the Trades Union Congress meeting at Bristol to lend its aid by seeing that the provisions of the Munitions Act were in fact carried into effect in respect of dilution. Though it had been expected that the reception which would be accorded to a speech upon this matter would not be friendly, it is probably true to say that on the whole the speech found general acceptance with its hearers and that it definitely took dilution policy a considerable step farther along the road. Almost as an immediate result of the meeting, a conference of Trade Union Executives on dilution was summoned to meet the National Advisory Committee to discuss the subject of dilution. This meeting finally came to the following agreement :

That this Conference . . . accepts the statement of the Ministry of Munitions that further effort is required in order that the supplies of war material may be increased and accelerated. It learns with satisfaction of the proposed appointment of a Government Central Munitions Labour Supply Committee, invested with extensive powers, to carry out the following objects :

A Joint Committee representing the National Labour Advisory Committee and the Ministry of Munitions, with additional members to advise and assist the Ministry in regard to the transference of skilled labour and the introduction of semi-skilled and unskilled labour for munition work, so as to secure the most productive use of all available labour supplies in the manufacture of munitions of war.

The Conference ventures to express the opinion that in order to render the work of this Committee effective, it is essential that there should be complete co-operation between it and the local representatives of the Trade Unions and others concerned through the medium of the Munitions Committees.

Further, in order to give effect to the Treasury Agreement of March last, the Conference pledges itself :

1. To secure the suspension of all restrictive rules, practices, and customs such as the limitation of overtime and the prohibition of piece work upon war work, in Government arsenals and controlled establishments, subject to the statutory safeguards of the Munitions of War Act.
2. To render all possible assistance in the carrying out of a systematic investigation, not only in Government arsenals and controlled establishments, but in all other factories, with a view to determining the least possible amount of skilled labour necessary to enable the machinery to be employed for the full 24 hours in each day.
3. To assist in the reorganization of the skilled labour employed in Government arsenals and controlled establishments, in order that semi-skilled or unskilled male and female labour may be employed on a much more extensive scale, subject to the conditions of Schedule II of the Munitions of War Act.
4. To give all possible assistance in securing the transfer of suitable men enrolled under the Munition Volunteer Scheme to any district where their services are required, subject to the observance of the conditions applying to the Munition Volunteer Scheme, and to assist in the further enrolment of Volunteers for this purpose.

That in order to give effect to the above scheme, the Conference strongly recommends that local conferences of branch and district officials and shop stewards be held in the various munitions centres as early as can be arranged, at which the Minister of Munitions or other representatives of his Department shall be present.

In accordance with the decision of that meeting the Central Munitions Labour Supply Committee was constituted, with Mr. Henderson in the Chair, with representatives both of the Supply Departments and the Labour Department of the Ministry of Munitions, and with representatives both of the skilled and unskilled Unions concerned, with Miss MacArthur representing the women and Mr. Allan Smith representing the engineering employers. The terms of reference of the Committee were :

To advise and assist the Ministry of Munitions in regard to the

transference of skilled labour and the introduction of semi-skilled and unskilled labour for munition work so as to secure the most productive use of all available supplies in the manufacture of munitions of war.

The Committee recognized from the outset that dilution would only be possible in practice if the wages difficulties which would necessarily result from dilution on the one hand were finally removed, and if on the other hand local machinery were set up of a character to inspire confidence in the workmen in every locality. As the first step, therefore, the Committee appointed two Sub-Committees, the first to deal with the fixing of rates of wages in connexion with the introduction of semi-skilled and unskilled labour, where only skilled men were previously employed, the second dealing with the constitution and functions of what were known as 'Local Labour Advisory Boards'. While these two Sub-Committees were engaged upon the tasks referred to them, the Committee as a whole were called upon to consider a general dilution circular, which was issued to all the controlled establishments, calling upon them to initiate actively the policy of dilution. It should be remembered on this point that the obstacles in the way of dilution were by no means confined to the workers' side. The employers not unnaturally feared that the wholesale introduction of semi-skilled and unskilled labour upon work previously done by the skilled would seriously dislocate manufacture, and might in the long run rather reduce than increase output. The circular was therefore at least as much directed to persuading the employers as to bringing the workmen into line. In fact its results were extremely disappointing. Employers who had been asked seriously to examine whether they were not employing an excessive proportion of skilled men almost unanimously replied that they were not, and in fact the returns showed that a comparatively trifling number of men were available for transfer. The conclusion to be drawn was that either dilution was impossible and the hopes pinned upon it entirely fallacious, or that it could only be enforced by the appointment of a considerable body of expert engineers who could personally superintend its introduction. The Ministry of Munitions would not accept the first explanation. They proceeded therefore to organize a missionary staff of what were called 'dilution officers'. The Department,

like others formed for war purposes, passed through a number of phases before reaching its final stage. When that stage was reached it consisted of a Director of Dilution, with a staff at headquarters and local offices for each of the Employment Exchange divisions into which the country was divided, in charge of a Chief Dilution Officer with a considerable staff. The business of these officers was of a delicate and technical character. It was their duty to visit all engineering works and others engaged in the production of munitions to satisfy themselves, first, that the fullest use was being made of the skilled men employed; and, secondly, that upon work suitable for semi-skilled or lesser skilled work-people the appropriate grades of male and female labour were being used. Later, when the need for men with the Forces became increasingly acute so far as substitutes were concerned, the business of the dilution officers was chiefly with the introduction of women. It will be seen that the first essential of a successful dilution officer was a first-hand knowledge of the engineering trade. But almost equally important with this was the ability to handle the thousand and one difficulties that were constantly and necessarily arising both with employers and employed. It was not easy, for example, to persuade an employer, constantly harassed by demands to expedite his deliveries, that some of his best men were superfluous. It was equally difficult to prove to individual workmen that jobs, long consecrated to the skilled man, could be and indeed must be performed by women. But by infinite patience and goodwill prejudice was finally overcome, as will be abundantly shown by the figures of the dilution effected, which are given at the end of this chapter.

But the successes did not really begin till the spring of 1916. There were still days of heroic struggle before the immature Department. In the first place it was becoming clearer and clearer during September and October of 1915 that until the wages conditions upon which semi-skilled men and women could be introduced had been settled, and, what was more, carried into effect, no real progress could be expected. The labours, therefore, of the Wages Sub-Committee of the Central Munitions Labour Supply Committee were of first-rate importance. The actual recommendations and their effect on the general wages are treated

in Chapters XIII and XIV on Wages. From the point of view of dilution, L 2 and L 3¹ (the terms upon which women and unskilled men might be employed upon work previously not performed by them) are of interest primarily as a further step in securing dilution. When these two sets of recommendations had been adopted by the Ministry they were discussed by the Central Munitions Labour Supply Committee with the Executives of the Unions directly affected. The Unions were disposed to offer their co-operation in the introduction of dilution subject to employers in whose establishments dilution took place binding themselves to observe the terms of L 2 and L 3.

But in agreeing on these terms the Executives had a little anticipated the degree to which their members had been educated to accept the new policy. It was felt that nothing short of a statutory enactment of the provisions contained in L 2 and L 3 would meet the position. Prolonged negotiation followed, into which the Prime Minister² of the day himself was brought, and in the long run power was taken, in sections 6 and 7 of the Amending Act of 1916, to make compulsory Orders both in respect of women and of certain categories of semi-skilled and unskilled men.

While this particular source of difficulty was being removed, the second Sub-Committee was framing the constitution and functions of the local Labour Advisory Boards. It was believed at the time of their constitution that the Boards were destined to be second only importance to the settlement of wages difficulties as an instrument for effecting dilution. The Boards were in effect to be the trustees of Trade Unionism at a time when it was squandering its privileges like a gentleman. They were to see that employers adequately carried out their obligations under Schedule II of the Munitions Acts and to report infractions to the appropriate authorities. They were to watch cases where men were employed insufficiently or on private as opposed to munitions work. In a word they were there to see that labour's side of the bargain contained in the Munitions Acts was observed. That the Boards did not justify the hopes which their creators cherished is certain: the reason for the failure is not as clear. It was perhaps in part due to the fact that the local Trade Union officials

¹ For further account see chapters on Wages.

■ Mr. Asquith.

were so overwhelmed by the multiplicity of duties imposed on them by the War arising directly out of their Trade Union work that they had not time to spare for work of this character. It may also have been due to the fact that there was a certain difficulty in making the Committees equally representative of the various Unions interested. In any case their failure was recognized almost within a month of their formation when a proposal was put forward by the A.S.E., during the negotiations on the Amending Bill, to set up a new series of Joint Committees of employers and employed of an executive character, which, if adopted by the Government, would completely have superseded the Labour Advisory Boards. In fact the Government did not agree to set up the new Committees, but the mere proposal, emanating as it did from the A.S.E., helped to diminish the value of the Boards.

Finally the Munitions Labour Supply Committee rendered another considerable service to the cause of dilution by laying down the procedure to be adopted in introducing changes into a controlled establishment. The procedure, which was in itself right and necessary (and often followed), is given in full because its elaborate character indicates more clearly than many paragraphs the difficulties attending dilution.

1. The workmen in the shop in which a change is to be made should be requested by the employer to appoint a deputation of their number, together with the local Trade Union representative, if they desire, to whom particulars of the proposed change could be explained.
2. At the interview the employer, after explaining the change proposed and giving the date when it is to come into operation, should give the deputation full opportunity of raising any points they desire in connexion therewith, so that, if possible, the introduction may be made with the consent of all parties.
3. Should the deputation be unable at the interview to concur in the change, opportunity should be given for further local consultation when representatives of the Union concerned might be present.
4. It is not intended that the introduction of the change should be delayed until the concurrence of the work-

people is obtained. The change should be introduced after a reasonable time, and if the workpeople or their representatives desire to bring forward any question relating thereto they should follow the procedure laid down in Part II of the Act.

5. It is desirable that formal announcement of the proposed change should be put on the notice board of the shop until intimation has been given as above to the men concerned or their Trade Union representative.

Dilution, it will be observed, did not come stealthily. When all this work had been done, when to the Treasury Agreement had succeeded the first Munitions Act, when to the National Advisory Committee had been added the Central Munitions Labour Supply Committee, when wage rates had been settled for dilutees, when an Act making these rates statutory had been passed, when local Labour Advisory Boards had been set up, when the procedure for introducing dilution had been established, and when the Dilution Department was beginning to grow and multiply—then and not till then, in the words of the leader of the Deccan pack, it was time for dilution ‘to turn and take hold’.

While the battle was thus being fought in general, it was also being pursued in detail, and the place where it was engaged was where the opposition was strongest. It has already been stated that in August 1915 an abortive attempt was made to introduce women into the machine-tool works of Messrs. Lang of Johnstone. That was a part of the deliberate policy of the machine-tool firms, who among manufacturers took the leading part in developing dilution. Nor must the importance of dilution on machine-tool work escape notice. The whole revolution started with the machine-tool. This was the steel substitute for the skilled man; this was, to use the meaningless word that became current during the War, the true ‘dilutee’. The machine-tool was the key to dilution, and the machine-tool manufacturers wished to dilute the labour on the work which was to make dilution easy and possible everywhere. This was bold. But bolder still was to choose the Clyde area for the attempt, when nobody knew better than the Machine Tool Committee, who

directed the machine-tool programme, what was the state of labour feeling in that area.¹

The attempt to introduce women at Messrs. Lang's, initiated in August, was not allowed to lapse. After the question had been discussed with the A.S.E. by the Minister of Munitions, formal intimation was given to the Union at the end of September that 12 women would be started on gear-cutting, light drilling, and milling machines. In fact delay followed. Conferences were held with the A.S.E. centrally and with the district officials locally, and the women were not actually at work till the end of October. Nor was the number introduced more than trifling. At most 19 women were brought on to the work, and by the middle of December the shop stewards informed the firm that the men would strike if another female was brought in.

At this point it looked as though the dilution battle were lost, but the Ministry of Munitions did not lose heart. Reference has already been made to the visit paid to the Clyde by Mr. Lloyd George at Christmas 1915, and of his personal interview with the shop stewards. It was not pretended then that the visit had been without its incidents, nor could it be pretended now that it did more than indicate to the Clyde Valley that the Government were very much in earnest. But that in itself was worth more than nothing, and indeed Mr. Lloyd George's visit paved the way for the work of the Clyde Dilution Commission. After this visit an attempt was made to arrive at a dilution agreement by local conferences between employers and employed under the Chairmanship of a Ministry official. The Conference failed, and it became plain that more drastic action would have to be taken. Accordingly, on the 21st of January, the Prime Minister took advantage of a question addressed to him in the House of Commons to make a general statement on the dilution position, ending with the words :

The Government accordingly propose to take steps to bring about this dilution of labour wherever needed, in accordance with the necessities of the situation and on the conditions laid down after agreement with the representatives of the workmen in the Munitions of War Act

¹ The Machine Tool Committee was a Committee set up by the Minister of Munitions to control the output of machine-tools. It was under the Chairmanship of Sir A. Herbert (Herberts, Coventry), and had as one of its most prominent members Provost Lang

as amended, without further delay. They are issuing instructions to controlled establishments to secure this where this has not been done, and they are sending special representatives to the most important districts to assist in giving effect to their policy.

On the following day the Clyde Dilution Commission, to which reference has been made in the previous chapter, were appointed. The Commission set to work without delay, and chose for the venue the three establishments which, from the labour point of view, had been most prominent in the public eye, viz. Messrs. John Lang & Sons, Messrs. W. Beardmore & Co., and Messrs. G. and T. Weir.

Reference has been made to the procedure for introducing dilution framed by the Sub-Committee of the Munitions Labour Supply Committee, and its elaborate nature was emphasized. But it was simplicity itself compared with the actual procedure that the Commissioners found themselves compelled to adopt. They began by calling upon the employer to present them with a draft scheme for dilution at his works. The scheme was then investigated by an expert engineer. When it had been completed to the satisfaction of the Commission, they invited the shop stewards to bring a deputation to meet them at the firm's offices, together with the local officials of the A.S.E. The meeting began with a general explanation of the scheme, and often with a defence of the principle of dilution. The men's objections were heard and answered at length, and they were supplied with a copy of the scheme. The question of the wages to be paid to the workpeople introduced was always a primary one. On this the Commissioners stated that the principle of L 2 and L 3 would be followed, and the incidence of these documents was explained in detail. It was arranged at the same time by the Commissioners in every case that a Shop Committee should be set up to advise the firm on the many wages and other points that the dilution scheme was bound to evoke. After this preliminary discussion a second discussion a few days later was arranged to remove any outstanding points of difficulty, and, if necessary, still further meetings were arranged.

(of Lang's, Paisley). This volume does not seek to apportion praise and blame ; it is merely a record, but the writer finds it difficult to abstain from recording his personal impression that the Machine Tool Committee performed a service to the nation, the magnitude of which will never be realized.

Then and not till then the firm was instructed actually to institute the scheme.

Nor was this elaborate preparation unnecessary. For the first scheme, in spite of all that had been done, led to yet another strike. The Commissioners definitely instructed Messrs. Lang to proceed with the scheme which had been thus elaborately explained. The direction was followed by a strike of 400 men upon the next day. This strike was of short duration, and on its termination on the 7th of February dilution had been firmly established at the works of Messrs. Lang. But before the Commissioners could congratulate themselves on its general introduction on the Clyde there were still difficult days before them. The very day of the return to work of Messrs. Lang's men ■ strike began of 2,000 men at various firms in the Clyde as a protest against the arrest of the Management Committee of *The Worker*, the organ of the Clyde Workers' Committee, which was suppressed under Regulation 51 of the Defence of the Realm Regulations. This strike also was of short duration, but, though it had its origin in the arrests arising out of the suppression of *The Worker*, its real cause was undoubtedly the general perturbation on the Clyde exacerbated by the suspicions of dilution. That this suspicion was not lulled by the most active efforts of the Clyde Dilution Commission was proved by the outbreak during March of the most serious Clyde strike of all,¹ which was ended only by the deportation of its leaders.

Even when the strike was terminated there were many who still took a grave view of the position on the Clyde and of the chances of success of the indomitable Clyde Dilution Commission. The Commission, however, were convinced that the last strike was a cloudburst, and had let out and dispersed a torrent of ill-feeling. They acted on that assumption, and they were right. No strikes of any importance occurred during the further tenure of their office (August 1916). When they gave up their duties in favour of the regular Departmental routine, which their labours had made possible, they were able to report that they had arranged for the employment of no less than 14,000 women.

Clearly, such expedients as the appointment of special Com-

¹ See previous chapter.

missions were only a method of breaking the ground. Thereafter the matter, if it was to be handled with success at all, would have to be handled by a permanent machine functioning through a regular staff dealing with the questions as they arose from day to day, acquiring both experience and influence as they proceeded with their work. Dilution proceeded on this basis. Even while the Clyde and Tyne Commissions¹ were sitting, the Department were perfecting their organization and their officers were busily occupied with the education of both employers and employed. The number and skill of officers increased steadily, till during 1917 an extremely efficient machine for effecting dilution had been created. The question of how far the enormous dilution effected was directly the result of Government action and not partly, at any rate, the result of economic and patriotic impulses, can never be decided. All that can be done is to present, for the consideration of the reader, the actual figures of women introduced into industry during the War. During the four years beginning July 1914 the number of women introduced year by year is the following :

July 1914-15	382,000
„ 1915-16	563,000
„ 1916-17	511,000
„ 1917-18	203,000

The first point to notice about the figures is that the highest number of females introduced is during the year 1915-16, before Government dilution had obtained a real hold on industry, and at first sight this figure in itself might be taken as conclusive proof that the dilution campaign was a failure. This, however, would be a fallacious assumption, because it is not to the bulk figure of women introduced that one must look in determining the value of the accessions to industry, but it is rather to the proportion of women employed in the munition trades from year to year. If the figure shows that in the latter years of the War the proportion of women in the directly munition trades enormously increased, that is to say, in the trades in which dilution was most active, this of itself will be convincing testimony to the

¹ This Commission was set up shortly after the Clyde Commission, under the chairmanship of Sir G. Croydon Marks, M.P.

value and success of the dilution policy. The trades which may be classed as directly munition trades are metals, chemicals, textiles, and Government establishments, i. e. Government munition factories. The figures in these cases may be shown in the following tabular form :¹

	<i>Metals</i>	<i>Chemicals</i>	<i>Textiles</i>	<i>Government Establishments</i>
July 1914 . .	9·4	20·1	58·0	2·6
„ 1915 . .	11·4	23·0	61·0	3·8
„ 1916 Aug. . .	17·8	33·0	64·6	26·5
„ 1917 . .	22·8	38·0	66·1	45·9
„ 1918 . .	24·6	39·0	66·8	46·7

It will be observed that these figures show the highest percentage increase between July 1915 and 1916. The percentages again show, as the bulk figures do, that the increases were largest during the year when dilution was not really due to Government action, but were still considerable throughout the year 1916–17 when a deliberate policy of dilution began to operate. The point, however, to notice is that whereas in 1915–16 the men who were going, though still to a certain proportion skilled men, were, largely by virtue of the new recruiting arrangements, men who were not so directly required upon munitions production. During 1916–17, however, the demand for the Army and the decreasing supply of man-power made it essential that the inroads should in fact be upon the skilled men to a far greater extent. The replacements, therefore, though proportionately not as high as in the previous year, were, from the dilution point of view, of much greater significance. It may be safely asserted that the number of replacements of skilled men during that year was probably higher than the number of replacements in the previous year. In other words, before dilution came into operation the place of the unskilled men, where opposition was not so great, was being taken by women ; but during the succeeding years, the place of the skilled men was being taken by women, and that substitution could only have been effected as a result of the dilution policy. It should be noted, moreover, that so far as the Government establishments were concerned, the actual numbers

¹ For table in full see Chapter VI, p. 77.

recruited during the years 1915-16 and 1916-17 respectively are 120,000 in the former year and 172,000 in the latter year. In this case the whole of the net addition was on munitions production, and it may safely be assumed, though not to the same degree, that the proportion of women taken on to munitions as opposed to private work in that year was higher than in the previous year. In explanation of the smaller figure for 1917-18 it should be noted that, whereas in the year 1914-15 2,200,000 went to the Colours, in 1915-16 1,014,000, in 1916-17 1,046,000, and in 1917-18 only 636,000 went, therefore the number of replacements was automatically reduced. Moreover, it should further be borne in mind that dilution refers not only to the introduction of women but also to the introduction of men into work upon which they had not previously been employed. It is significant that the highest number of males introduced, except in the first year of the War, was in the year July 1916-17, when it was 562,000 as compared with 420,000 in July 1915-16.

It should be borne in mind, in having regard to the amount of dilution and substitution generally, that it was not operated solely by one Department. In the first place the work was wholly in the hands of the Ministry of Munitions Labour Department. At the beginning of 1917 the Shipyard Labour Department of the Admiralty was constituted. This Department took over the labour regulation functions of the Ministry of Munitions and gradually became responsible for dilution in the shipyards. If, as is the fact, the proportion of dilution in the shipyards was lower than elsewhere, this must not be attributed to failure on the part of the Admiralty authorities. The work in the shipyards was, generally speaking, of a character which rendered dilution more difficult. In all the work of ship construction, for example, it was extremely difficult to introduce the automatic machine which helped to revolutionize the engineering industry and to make possible the introduction of women in great numbers.

In addition to these two authorities, at the beginning of 1917 the Director General of National Service was appointed and, as explained elsewhere, attempts were made by his Department to assist in the distribution of man-power, but with no very substantial results. On the other hand the Ministry of National

Service, which came into full play towards the latter end of 1917, played an effective and important part in the general handling of substitution. But though there was more than one authority concerned, it may be claimed with assurance that what was accomplished in the direction of dilution was of the greatest value in repairing the ravages of recruiting. Success was not merely, or indeed perhaps chiefly, a tribute to the Departments who succeeded in arranging it. The credit must, in the first place, be ascribed to the Trade Union leaders, and still more the individual workmen, who were ready to surrender their privileges; in the second place, to the employers who were content to see their businesses reorganized from end to end at a time of unexampled strain. Finally, it may be claimed as a significant proof of the vitality of British industry and the degree of skill acquired both by management and men, that when the skill had to be so widely dissipated, and had to be spread so thin, the resultant production was without question the best among all belligerents.

CHAPTER X

DISCIPLINE AND WELFARE

THE provisions described in the previous chapters were designed to render work continuous by avoiding stoppages, and to increase the number of workpeople available by rigidly restricting the skilled man to skilled work and by introducing new blood to carry out the semi-skilled and unskilled work. The next step was to ensure that the workmen, thus assigned, should, while at work, produce the maximum output. To achieve this end there were two methods—which operated simultaneously. The first was primitive in character, and made failure to work efficiently and diligently in a controlled establishment an offence. The second was remedial and aimed at removing the causes which led to inefficiency and indiscipline.

During 1914 little complaint was heard of the way in which men engaged upon munitions worked. Though they were continuously on overtime, the first war impulse was a sufficient incentive in general to ensure unremitting labour. But in 1915, along with all the other vexed labour questions that assailed the Government, the question of lost time assumed a temporary importance. Substantial allegations were made that widespread drunkenness, particularly in the shipyards, was seriously interfering with production. Indeed the shipbuilding employers attached such importance to the allegations that at one time they asked for a complete prohibition of the sale of spirituous liquors during the War. The allegations aroused a storm of protest in Labour circles. An investigation into the facts was carried out, but its results were indecisive. There was no question that a very heavy proportion of time was being lost in the shipyards. It was, however, not clear that the loss was proportionately higher than in pre-war times, and the causes were equally obscure. Drink no doubt was a contributory cause, but there were many others. Sickness, long hours, with the resultant strain, difficult working conditions, inadequate facilities for getting food in the

works, and bad housing, all had their influence. The charge against drink was at least not proven, but there was sufficient indication that, for whatever reason, invaluable time was in fact being lost to persuade the Government that power must be taken in controlled establishments to deal with the matter. Section 4(5) of the Munitions Act accordingly made it an offence for a workman to fail to comply with any regulations made applicable to a controlled establishment by the Minister of Munitions 'with respect to the general ordering of the work in the establishment with a view to attaining and maintaining a proper standard of efficiency and with respect to the due observance of the rules of the establishment'.

The first action under the section was to draw the necessary regulations to be made applicable to the controlled establishments. Here the Ministry of Munitions at once found themselves in a difficulty. The idea of interference with the ordinary day-to-day management of the munitions factories had been definitely abandoned. If, however, the Department were compelled to frame working rules for each establishment, quite apart from the difficulty of meeting the varying requirements of different establishments, these rules would involve a very direct interference with management. The Ministry, therefore, cut the Gordian knot by instructing the management of the individual 'controlled establishment' to post their own rules in the following regulations dated 14th July 1915 :

1. The owner of any Controlled Establishment shall, as soon as practicable, post rules relating to order, discipline, time-keeping, and efficiency conspicuously in his establishment so as to bring them effectively to the knowledge of workmen employed therein. Copies of rules so posted shall be sent to the Minister of Munitions.

2. Every person employed in the establishment shall comply with any rule so posted ; provided that no person shall be liable to a penalty under the Act for failing or refusing to comply with any rule, if the Munitions Tribunal is satisfied that the rule is an unreasonable one, or that the person had just cause for his failure or refusal to comply with it.

This ingenious solution was unpopular both with employers and employed. From the employers' point of view there were several difficulties. The rules which they had framed were of a

domestic character as between themselves and their workpeople. They were not designed to bear the examination of a law court. Moreover, in very many of the smaller workshops there was no code of rules in existence. Verbal instructions and notices dealing with specific points, such as smoking, took the place of the more formal document required by the Acts. Finally, the employers felt that it was essential that the direct authority of the State should be behind the rules. On their side the feeling of the workers was even more marked. It was possible, they argued, for an employer to post unfair rules, and that these, subject to the decision of a possibly inexperienced tribunal, would become legally binding. The rules might therefore become, in the hands of a tyrannical employer, an instrument of oppression.

In the face of such representations the Minister of Munitions had no alternative but to frame model rules. These were discussed with the National Advisory Committee and made in August 1915. They may be summarized as to their main provisions as follows :

1. *Regularity and diligence.* All persons employed, and whether on time, piece, or otherwise, was to attend regularly and work diligently during ordinary hours and to work a reasonable amount of overtime.
2. *Suspension of restrictions.* No person employed was to insist, either by himself or any other person, upon the maintenance of restrictive practices.
3. *Sobriety and good order.* Drunkenness, indiscipline, disturbance, and destruction of posted rules were all made offences.
4. *Saving for other shop rules.* Other shop rules might be posted by the owner of the controlled establishment.
One or two points on these rules require notice.¹

In the first place it will be observed that they do not supersede all existing rules. It was therefore still possible for an employer, if he so desired, to post his own rules, or to add rules to the Code. This led to trouble, in particular with regard to a provision as to deductions from wages embodied in a model code drawn up by the Engineering Employers' Federation. This difficulty was largely surmounted by reason of the fact that in practice the

¹ For text of rules see Appendix II.

majority of the firms concerned either posted the Ministry's model rules, or in adopting other rules had a close regard to the Ministry's models. The figures at the 1st January 1916 were as follows :

Model rules posted	1,168	Controlled Establishments
Model rules with variation	22	" " "
Own rules	116	" " "
Model rules and own rules	303	" " "
Model rules of E.E.F.	76	" " "

The next point to notice is the provision requiring men to work 'a reasonable amount of overtime'. The word 'reasonable' was obviously one difficult of interpretation, and in fact led to a good deal of difficulty in practice. It was by no means easy to discover a satisfactory criterion. The nature of the work, the traditions of the trade, the length of time over which overtime had been worked had all to be taken into account. Moreover, there was the vexed question to be determined whether overtime was to be reckoned on a weekly or hourly basis, i.e. whether before overtime started a workman was required to work the whole of the normal hours for a given week or whether he could count as overtime hours any hours worked in excess of the normal hours for a given day. In the latter event a man who lost time three days of the week could yet in the other three work 'a reasonable amount of overtime'. For all these reasons the prosecutions for failure to work overtime were infrequent and inconclusive.

The next point is that, though the rules require the removal of restrictive practices, they do not specifically lay down, as did the model rules of the E.E.F., that men were to work piece work if required. This raises a question of some interest. The provision of the Act requiring the removal of restrictions was section 4 (3), and it could therefore be argued that it was no part of the works rules made under section 4 (5) to deal with this question. In support of this it could be pointed out that section 4 (3) provided a method of settlement by arbitration of the question whether a given practice was or was not restrictive. No such provision existed under 4 (5), and the question could only be raised by arguing before a munitions tribunal that the rule requiring the removal of the restriction was not reasonable. At best, therefore,

there might be a conflict of authority between the two Tribunals. The question was by no means an academic one. Unions like the Carpenters and Joiners, who were by tradition and practice opposed to piece work, saw in this rule the gravest threat to their liberty yet devised, and the resistance offered to it was bitter. So much was this the case that it is doubtful whether any prosecution under the rules was ever brought, for instance, on a restrictive practice. The battle between time and piece work was fought either under 4(3) or as a general wage issue. Dilution similarly was settled on general lines, and the rules on this point were from the outset practically a dead letter.

These points led to a certain amount of dissatisfaction, and during the debates on the Amending Bill of 1916 a good deal of criticism was directed against the rules. It was demanded that rules posted should be settled by agreement with the workers concerned, that only the model rules of the Ministry of Munitions should be posted, and finally that there should be no penalty for refusal to work on Sunday. No amendment of the 1915 Act was made in these respects. But, in accordance with a promise given in the House of Commons, new regulations were made on the 18th February 1916 which required all rules posted to have the prior approval of the Minister of Munitions, and which stopped proceedings for refusal to work on Sundays.

In practice the operation of the rules was largely directed to dealing with cases of bad time-keeping and general cases of misconduct. From the outset, though the complaints brought before the Tribunals were not inconsiderable, there was a marked reluctance on the part of the employers to use the Tribunals for this purpose. Many of them took the view that the friction engendered by lodging complaints more than outweighed the advantages resulting from fines. There was a growing tendency to look to the Minister to bring the complaints on the ground that the offence was rather against the State than the individual employer. This reluctance on the part of employers to prosecute was intensified by the Amendment Act of 1917, which abolished leaving certificates. Employers, in the face of an acute shortage of labour, were increasingly afraid to take action which might result in a workman throwing up his work.

It is therefore open to question how far section 4 (5) achieved its object. It was recognized from the beginning that the actual complaint before the Tribunal should be the last resort. The first stage was a warning by the local officer of the Ministry of Munitions addressed to the individual workman. This system, which was first organized on the Clyde, was undoubtedly efficacious, and had better results than the formal complaint. It was developed later into a national system. Officers were appointed for each area of the country under central control, known as time-keeping officers. Employers were asked to send in returns of time-keeping, and the worst time-keepers were visited individually, often with good results. But the visits were at least as important as indicating the underlying causes of bad time-keeping as in curing it. Moreover, in any case it was obvious that a small staff, however diligent, could hardly hope to deal with sporadic cases amongst the millions of employed persons. A further development—and one which had excellent results—was the establishment of joint Shop Committees in many works. These Committees, whose functions are discussed later in this chapter, did admirable work in respect of time-keeping. A prosecution, following upon the warning of a Committee consisting as to half of workpeople, could not provide a grievance. It is probably true to say that the persuasion of the time-keeping officers and of the Joint Committees did far more to improve time-keeping than did all the complaints brought before the munitions tribunals.

It has been indicated already that the second method of dealing with the improvement of output was to endeavour to isolate the causes which led to its diminution, and to attack these. It was only gradually that the truth was perceived that the large majority of bad time-keeping was due not to innate laziness on the part of the workpeople but to the difficulties under which they were often working. The perception of this truth was crystallized in the Welfare Section of the Labour Regulation Department, a brief account of whose activities follows.

Welfare divided itself into three main sets of considerations—changes in the works which might interfere with management, changes in the works which did not interfere with management, and changes in the life of the workpeople outside the works. So

far as the first head was concerned it resolved itself into the question of hours in the ordinary establishment and of hours and health regulations in establishments dealing with poisonous or dangerous material. The hours question attracted attention first, because of the excesses, in this respect, to which employers were driven by the demands imposed upon them in the early months of the War. The only statutory regulations dealing with hours were contained in the Factory Acts administered by the Home Office, and were limited to prescribing hours of work for women and young persons. No protection for men existed.

The Home Office found themselves in a dilemma. They had had long experience of factory legislation, and of the evil effects of excessive overtime. They knew that it was not true that to double the time worked doubled the output, but that, on the contrary, over a long period of time the result might be to halve it. But, however clear this might be to them, they had the greatest difficulty in withstanding the pressure of employers to work long hours, backed as they constantly were by the Departments of State responsible for the output of munitions. The need for munitions in the early months of the War was such that all risks had to be taken, and the Home Office found themselves driven to grant exemptions from the Factory Act on a scale which they would have regarded as incredible before the War. If the Home Office stood firm their attitude was contemptuously criticized as inability to adapt themselves to war conditions, and finding themselves entirely without support they were compelled to yield.

For the first year of the War, though the Home Office did all that was humanly possible in the conditions in which they found themselves, there was something little short of a debauch of long hours. While the hours of women and girls were kept within some measure of reason, the hours constantly and all over the country worked by men were often quite unreasonable. There were cases, for example, of men working for more than 100 hours a week, and 70 and 80 hours were by no means uncommon. It was inevitable that bad time-keeping should result, and the wiser employers began to realize that, if the War were to be prolonged, some check must be imposed upon the number of hours worked. For it began to appear that in the long run the hours

would approximate to a normal pre-war week with the difference that all the hours would be worked during and paid as overtime. The Home Office, which had been alive to the difficulty throughout, called to their aid a strong expert Committee known as the Health of Munitions Workers Committee, which proceeded immediately to investigate the question of the effect of hours upon output. Simultaneously the newly-created Labour Department of the Ministry of Munitions directed their attention to this matter as constituting one of the serious checks upon output. For this purpose they set up a Departmental Committee on Hours, under the Chairmanship of a Ministry of Munitions official. The Committee's strength consisted in the fact that, in addition to representatives of the Labour Department and the Home Office, it included representatives both of the Supply Departments of the Ministry of Munitions and of the Admiralty. Thus a Committee was formed which could give to the Home Office the support of the Contracting Departments in dealing with applications in respect of women and young persons, and could exercise authority over employers who were working their men for excessive hours.

The labours of the Health of Munitions Workers Committee and of the Labour Department of the Ministry of Munitions had excellent results. Various expert investigators—notably Dr. Vernon—made extended inquiries into the relation of hours and output. It is not the business of this volume to pronounce an opinion on the controversial medical questions that resulted from these reports. It was established, at any rate to the satisfaction of the Health of Munitions Workers Committee, that after 60 hours a man's output on normal work tended to decrease, and that the same was true of a woman after a shorter period. Moreover, not only was the output during the additional hours prejudicially affected, but a general reduction of energy was noticeable over all the hours worked.

Tables—possibly not conclusive—were prepared indicating the relation between lost time and excessively long hours. The common sense of employers (who were represented upon the Committee) tended to accept the conclusion, and indeed they were entitled to urge that they had only worked excessive hours at the direct request of the Government. The Ministry of Muni-

tions, as the executive Department, were prepared to accept the conclusions of the expert Committee, and they began to put them into practice through their new Committee. In all cases of excessive hours, whether for women, young persons, or men, the matter was remitted to this Committee for consideration. In all cases the decision took into account the general question of health as well as the immediate urgency of the work particularly in question.

It was, however, easier to decide to regulate hours than to carry out the regulation in practice. There was, for example, the case of night work of women and young persons. Taking the case of women first, it was laid down as a general rule that women were not to be employed for more than eight hours on night work. This decision in fact involved a three-shift system so far as the women were concerned, and it was discovered in practice that the three-shift system involved grave difficulties in the engineering works. The number of men available was not adequate to supply three shifts. Accordingly the skilled workers were on two shifts and the women on three. This led to real confusion with regard to the hour of change-over, as the hours of men and women could not be made to correspond. So considerable was the difficulty that in many engineering works the three-shift system for women had to be dropped. In the same way the absolute prohibition of night work for young persons could not be made universal. In certain occupations the skilled man could not carry on his work without the assistance of a juvenile worker. Therefore night work would have to be discontinued entirely, or failing that, a certain number of boys would have to work night shift.

Again the workpeople had grown accustomed to the large earnings that resulted from working overtime, particularly on Sundays, when double time was paid as a general rule. It was not difficult to persuade their leaders, who indeed often took the lead in denouncing overtime, but with the cost of living rapidly increasing it was a serious matter for the workman to give up the most profitable part of his working hours. By steady persistence, however, the Ministry of Munitions were successful in reducing overtime even in face of this reluctance, and ultimately found themselves able to make a general Order forbidding Sunday work

in controlled establishments in the North-eastern Area. This Order was generally accepted.

The second point which involved interference with management was the control of labour in factories handling poisonous or explosive materials. The amount of time lost in such factories was alarming, as was in some cases the sickness rate, and it became necessary to consider the whole question urgently. So far as the manufacture of explosives was concerned, and the danger of accident, these matters were firmly regulated by Home Office regulations. Though production grew out of all belief, the general principles of protection in danger buildings did not require substantial modification. But on the health side the position was entirely different. Before the War there had been no experience of the manufacture of trinitrotoluene on any large scale. It was during the War that T.N.T. took the place of lyddite as the standard explosive, and nothing was known of the effects upon the worker of handling it.

A technical account of the diseases engendered by T.N.T., and the experimental treatments and prophylaxis devised to meet them, will not be expected here. From the lay point of view it is sufficient to say that workers on T.N.T. developed a rather alarming death-rate due to a complaint which appeared to attack the liver in a remarkably virulent way. The Medical Department of the Home Office had from the beginning been giving attention to the matter, but here again they were handicapped in giving directions by the urgent need for T.N.T. Accordingly the Minister of Munitions appointed an expert Committee—which was really a Sub-Committee of the Medical Research Committee—upon which the Medical Department of the Home Office was represented. This Committee, after a thorough investigation, drew up a code of rules to be observed in employing workers on T.N.T. They required, in the first place, an elaborate system of ventilation, because one of the causes of the disease was the inhalation of the fine T.N.T. dust. In the second place they laid down rigid restrictions as to the number of hours that an individual might work, and the length of time such an individual might remain even on short hours upon the work. In the third place there were rules as to protective clothing, and the taking of any food within

the danger zone was stringently forbidden. Finally the need for a special diet, including large quantities of milk, was laid down. In the same way, when the manufacture of poison-gas became a vital topic, rules were devised; but in this case, profiting by experience, they anticipated the disease.¹

There was no question that these rules—legally imposed by the Ministry of Munitions, administered by the Welfare Section of the Ministry of Munitions in co-operation with the Home Office—almost entirely stamped out poisoning from these causes, and to that extent cured the lost time due to sickness and the fear of sickness. Obviously, with so large a number of persons employed it was impossible to overcome the effects of individual carelessness. Workers became so habituated to the danger, that after a time they came to regard the rules as an interference with liberty and broke them only too often with serious results to themselves. But even this risk was to a certain extent eliminated by the Welfare Superintendent—the creation of the Welfare Section of the Ministry of Munitions—which comes into the account of the steps taken in the interests of the welfare of the workers which did not interfere with management.

These steps—which constituted in their administration the principal work of the Welfare Section—consisted in

- (a) The creation of a corps of Welfare Superintendents both for women and boys.
- (b) The provision of adequate canteen and other facilities for getting meals during working hours.
- (c) The provision of rest rooms.
- (d) The provision of first-aid appliances and ambulances, and, in the larger factories, of trained nurses. And—
- (e) The provision and control of a staff of Medical Superintendents in the larger factories.

It is hardly open to argument that if women are unsympathetically treated, if they have no satisfactory facilities for getting food, if, when working hard, they have no place to rest, then the result in the long run will be slackness and loss of energy which will manifest itself in poor production and bad time-keeping. It was accordingly to these three aspects of the problem that the Welfare

¹ For rules see Appendix 12.

Section addressed itself on the non-medical side. The first and perhaps the most important was the provision of a sensible sympathetic woman, who should have nothing to do with the management, but who would have the health and happiness of the women in her keeping. Obviously her position would be a delicate one, requiring patience, tact, and infinite common-sense. On the one hand the girls might resent being 'mothered'. On the other hand the foreman might regard the interventions of the Welfare Superintendent as an invasion of his province. Accordingly it was necessary to find women who could grapple with both these difficulties, and they were found.

The method adopted by the Welfare Section was to establish a small interviewing Committee of distinguished ladies who interviewed candidates for appointment, and made out a panel. The method of actual appointment to the factory might be one of two. Either, as was more common in the earlier days of the Section, an inspector of the Department visiting a factory found the need for a Welfare Superintendent very marked. In that case a letter was written to the firm suggesting the need for such an appointment and offering to submit a suitable name. Later, however, as the value of the Welfare Superintendent became more widely known, applications for superintendents, made on their own initiative, were received from many controlled establishments. In both cases a suitable woman from the panel was chosen and sent to the employer. If engaged she became as much the employee of the establishment as any other worker there, though naturally she retained touch with the Welfare Section. Her duties were broadly the same in all cases, namely, as stated above, to look after the health and happiness of the women workers. Her actual duties in practice differed in detail according to the size and geography of the works, the idiosyncrasies of the employer, and the degree to which she established herself in the confidence of the foreman and the under-management. In some cases she had no direct concern with the engagement or dismissal of women, though obviously, where she was permitted to take part in this work, she was in a position to give the management material help. It was, however, generally her province to inquire into individual cases of bad time-keeping, and in innumer-

able instances she discovered that the cause was one which she could remove. She was available to hear grievances of a personal character, and complaints as to conditions affecting health, and a sensible superintendent was often able, when once she had grasped factory conditions, to make valuable suggestions to the management. It cannot be questioned that these women, working on the wise lines indicated by the Welfare Section, did a great deal to keep up the enthusiasm for their work among the women which was so marked a feature of munitions production. It may be noticed finally that a handsome lead was given to the owners of controlled establishments in this respect by the national factories which, as a rule, gladly availed themselves of the services of the Welfare Superintendents. Where, as in the case of the filling factories, difficulties were raised, it was due to a genuine belief that any interference, however desirable elsewhere, was undesirable on work so delicate. Even these fears were ultimately overcome, and the women superintendents suggested a new line of development in the handling of their workpeople to employers.

It is not necessary to describe the system of boys' Welfare Superintendents in detail, because, *mutatis mutandis*, it proceeded on exactly the same basis and with an equal degree of success, and like the women's scheme seems destined to leave a permanent and beneficial mark on industry. We may, therefore, pass on to the second of the main functions of the Welfare Section, the provision of canteen and other facilities for obtaining food during working hours. Before the War very few establishments, except the largest and most enlightened, had made provision by which employees could obtain cheap and well-cooked meals on the premises. Workers were, in the large majority of cases, left to bring their meals with them in cans, or to go out to eating-houses in the neighbourhood of the works. With the pressure under which work was carried on during the War the latter course was undesirable, and it became clear that, in respect of the women at any rate, the former course was tending to reduce output. Canteens, therefore, began to suggest themselves as the remedy, or perhaps it might be said more truly began to be suggested. The suggestions emanated, in the first instance, from the vigorous Sub-Committee of the Liquor Control

Board¹ which had been appointed by that body to deal with canteens. The Liquor Control Board, in itself, was one of the powerful influences which tended to improve time-keeping. By fixing the hours during which drinking was permitted, and by reducing the gravity of beer and spirits to a point where their right to the name became doubtful, it can hardly be questioned that in so far as drunkenness was a cause of bad time-keeping, they helped largely to remove that cause. When, for example, the case of the great Gretna explosives factory is considered before the Liquor Control Board took over the management of public-houses in Carlisle,² and after, it is scarcely open to dispute that their administration of the liquor restrictions materially added to the output of munitions. But they were not content with the negative prohibition of the consumption during certain hours of intoxicating liquors. They determined to substitute means of obtaining satisfying meals. For this purpose they established, under the Chairmanship of Sir George Newman, then principal Medical Officer of Health of the Board of Education, the Sub-Committee on Canteens. That Committee vigorously pursued the policy of persuading firms to provide canteens for their workers. In the period before this work was handed over to the Welfare Section of the Ministry of Munitions, they were remarkably successful in overcoming the objections of employers to the establishment of canteens. And perhaps an element in their success was that they bore the whole capital expense of the provision of the canteen.

But whether this was the cause or not, the idea of canteens had taken firm hold before the Welfare Section were called upon to handle the work. This difficulty was not so much in persuading employers that canteens were right in themselves, as in persuading them to build them on the less generous terms of a proportionate writing-off against excess profits. But in spite of this financial difficulty the Welfare Section made great headway and the work accomplished proved invaluable, not only in

¹ This was the Board, under the Chairmanship of Lord D'Abernon, set up to deal with the liquor restrictions during war time.

² A large number of the workers at Gretna, which was a factory of enormous extent built in the country, lived at Carlisle, the nearest town in the neighbourhood of any size.

general as improving the temper of the workpeople, but in particular in providing a means of pooling rations at the time when the shortage of food became acute. This last point will perhaps bear a little further description. Towards the middle of 1917, when it became obvious that compulsory rationing could no longer be delayed, it began to be a question whether munitions workers, like the Forces, should not have special treatment in respect of the amount of food allowed per head. A Committee—known as the Food of Munition Workers Committee—was set up by the Minister of Munitions to consider how far output would be diminished by a reduction in the amount of certain staple foods. The Committee made its report in due course, and the Minister of Munitions made representations upon the basis of this Report to the Minister of Food. But perhaps the most important feature of the Report was the prominence it gave to the system of feeding workpeople through the canteens. As a result of this a Special Food Section of the Labour Department was set up which helped materially in organizing the distribution of food to munitions workers through the canteens. But apart from this special and important development, here again in the matter of canteens the Ministry wrought better than they knew, and produced a minor but by no means unimportant revolution in the treatment of factory workers.

In the next of their functions—the provision of rest rooms—the Welfare Section tended to encroach a little on the province of the Home Office, but this was inevitable. The Home Office had statutory powers to make regulations, on such matters as ambulances and rest rooms, but they had not exercised them, thinking the time unpropitious. On the other hand, the Minister of Munitions—possessing no statutory powers but being the authority responsible for the munitions levy—could by writing off a whole or part of the cost of a rest room find an easy path to the goodwill of an owner of a controlled establishment. Consequently it was the Welfare Section of the Ministry which pushed forward the establishment of rest rooms on much the same basis as the establishment of canteens. There was no question of compulsion in either case, but by virtue of example and the power of the purse, a great deal could be and

was effected by the staff of efficient Welfare Inspectors working under the Welfare Section. Obviously neither canteen nor even rest room could be asked for in a very small factory. But even in such a factory, arrangements for the supply of hot water and the setting aside of some small room—not specially constructed—for rest could be arranged. Even where the major facilities could not be provided, the women saw in the provision of minor facilities a definite attempt to make their work pleasanter and easier.

As to the medical side, the provision of first-aid appliances, ambulance facilities, and trained nurses was advanced by much the same methods as obtained in the case of canteens and rest rooms. In the smaller factories the inspectors confined themselves to recommending appliances; in the larger they recommended the appointment of a nurse or nurses. It was later, and then again only in the largest factories, that resident doctors under the general control of the Ministry were appointed. This last development—unhappily interrupted on the termination of hostilities—was in some ways the next most important step forward in improving the general health of the community to the appointment of the Municipal Medical Officer of Health. For the first time there was an expert and highly-trained body of men studying at first hand and continuously, with a wide basis of observation, the incidence, progress, and prevention of industrial disease. Moreover, from the more limited point of view of the improvement in time-keeping it was possible to study with absolute faithfulness the relation between working conditions and the succeeding work. This not least of the preventive steps worked powerfully to assist the employer in his efforts to keep up supply.

Finally there is the Workshop Committee which, as suggested above, rivalled the Welfare Section in the works, where it was set up, in producing improvement in output. The origin of the idea of setting up a Joint Committee to settle welfare matters in conjunction with the management is obscure. Joint Committees formed a part of the dilution programme in the schemes initiated by Clyde and Tyne Dilution Commissions. Joint Committees had existed in certain works before the War, and

Messrs. Rowntree, for example, were developing them into the precursor of the Whitley Scheme. Moreover, Joint Committees were being strongly advocated by the Trade Unions as a means of dealing with the many difficult labour questions that arose under the Munitions Acts.

The idea was therefore very much in the air, and the Welfare Section in encouraging their establishment were helping to advance one more pregnant movement in labour affairs. The matter was, however, not free from controversy. There was a school of labour thought—what has been called the Rank and File Movement—which saw in such Committees a means of obtaining a voice or even a controlling interest in management. This was not the point of view from which they were advocated by the Trade Unions generally, but the fact that this view had advocates made the employers suspicious of any Joint Committees, unless they had very carefully defined functions. When Joint Committees were set up to deal with welfare, it was not likely at first sight that they would be subject to criticism on this score. But in fact even as regards Welfare Joint Committees the employers preferred to proceed with caution. Where they were set up they dealt with such questions as complaints affecting the canteen, rest room, and conditions of work (other than wages). In some cases the welfare work formed only a part of wider duties such as dealing with discipline and assisting in dilution. But whether they had wider or narrower functions they were, on the whole, remarkably successful. It was partly because of this success that the Committee on Relations of Employers and Employed (popularly known as the Whitley Committee) laid great stress, in their proposals for the constitution of Joint Industrial Councils, upon the necessity of carrying the Council right down to the workshop. They regarded efficient workshop Joint Committees as affording a solid foundation in every trade to the whole structure.

These various activities were designed to remove the causes that hindered production inside the factory. Outside the factory the two questions to which the Ministry of Munitions addressed their attention were housing and recreation. After the end of 1914 practically no houses for private purposes were built. Not only was building labour drawn on very heavily for the Forces,

but the demands for extension of existing factories, and the building of new factories for munitions production and especially the great national factories, absorbed so much labour of this class that apart from the work of necessary repairs there was practically no labour available for ordinary housing purposes. In addition the Ministry of Munitions had powers under the Defence of the Realm Regulations which required that a licence must be issued by them before any house above a certain value could be built. They not only used this power to discourage the erection of new private buildings, but actually stopped progress on certain public buildings not required for national war purposes.

But, though this action was justifiable, towards the middle of 1915 it became clear that overcrowding was becoming a very serious problem in the munitions areas. Some of these, notably the Clyde, had been notorious for overcrowding before the War. The position became rapidly worse in such areas, when no new houses were being built and when there was a great influx of new labour for munitions work. In centres like Barrow, Coventry, Woolwich, Erith, and Lincoln the position soon became such that the housing accommodation began to limit the amount of labour which could be introduced. Indeed there was one case of a great ironworks, at Scunthorpe in Lincolnshire, where it was for a time impossible to man an extension to the factory because there was absolutely no housing accommodation available. There was no authority in existence at the time upon which the responsibility for providing accommodation for munitions workers appeared to fall directly, and the Ministry of Munitions was accordingly called upon to shoulder this burden along with the rest.

The Ministry approached it in three ways :

- (a) By providing houses in a strictly limited number of areas.
- (b) By encouraging the erection of hostels in connexion with factories, particularly for women workers. And—
- (c) Under powers conferred upon them by the Billeting of Civilians Act, 1917.

The direct method of providing houses was attended with serious difficulty. Apart from the grave shortage of certain classes of material required for housing, there were difficult

questions of finance and management of the property when erected. It was a question, for example, how far the State should properly bear the cost of building houses, and whether the charge would more properly fall on the local authority or even on the particular munitions firm for whose benefit the houses were being erected. Moreover, there was the vexed question of the rent to be charged when the houses had been built, a question which, it was seen, might easily assume first-rate importance after the War, when vast housing schemes of a national character might be required.

None the less the Ministry proceeded with their policy of building. Many applications were received, but it was obvious that it would be necessary to proceed with caution, and that attention could only be given to areas where the need was overwhelming. The principal scheme carried out during the first year of the Ministry's existence was the Well Hall Garden City scheme in the Woolwich area. In its later years considerable schemes were developed at Barrow and in the Glasgow area. In devising their scheme, the Ministry had regard, not only to providing houses, but to providing the right sort of houses according to the views of architects most familiar with the modern principles of town-planning. Well Hall, for example, was an admirably arranged garden suburb, and might well have been used for a model by municipalities engaged upon post-war housing extension. Special regard was paid to the needs of a working-class family, and the general scheme was designed, without being in any sense luxurious, so as to give an air not only of comfort but of architectural grace. But it was plain that the Ministry of Munitions could not by building hope to overcome the shortage of houses, which became more and more formidable in the principal munitions centres as the War went on.

Other devices, therefore, had to be attempted, of which the provision of hostels was one. This work, like the work of providing canteens, was under the general control of the Welfare Section, and it was conducted on the same principles and in much the same way as the work in connexion with canteens. Applications from big controlled establishments for the provision of hostels were considered. Where a case for the building of

a hostel was made, arrangements were made for writing off a proportion of capital cost against excess profits. Hostels were established in connexion with many of the national factories, particularly those, like Gretna, built at a distance from any town. Similarly hostels were established in Coventry, Erith, Barrow, and at other overcrowded centres. The managers of the hostels, which, with the exception of one provided by the Admiralty at Glasgow, were for the use of women, were generally provided from a list, akin to the list of Welfare Superintendents, kept by the Ministry of Munitions, and the Welfare Section kept in general touch with the managers.

The hostels had a very varying success. Those in the country districts were nearly always full, while those in the towns, even in such an overcrowded one as Coventry, tended to be failures. The explanation given was sometimes that the hostels were not planned to provide adequate recreation, or again that different types of women were accommodated with resultant friction. But the true explanation probably was that the younger women at any rate resented the restrictions on their freedom that even the very mild rules of the hostel imposed.

The last expedient attempted to meet the situation was contained in the Billeting of Civilians Act, 1917. One of the obvious ways of meeting the housing difficulties was to compile lists of suitable lodgings. This had been done with some success by the Employment Exchanges in the earlier days of the War. It might have been expected that the departure of millions of men to the Colours would have largely increased the lodging accommodation. This, however, was not the case, because wives preferred to live on their separation allowances and to keep their houses to themselves. A considerable number of the munitions workers were no doubt accommodated in the houses of men absent with the Forces, but it was clear that a great deal more could be done in this direction. Accordingly in 1917 the Government took the drastic step of passing an Act under which the Billeting Board could schedule munitions areas and require householders to accept munitions workers as lodgers.

There is no doubt that the action of the Billeting Board in fact resulted in a great deal of additional accommodation being

found. The Central Board worked through joint local committees of employers and employed usually under the chairmanship of the mayor. These Committees were assisted in their work by local billeting officers under the control of the Central Board. Both the Board and the local Committees worked rather by persuasion than compulsion. In nearly all cases, after conferences between the Central Board and the local Committees, it was found that sufficient accommodation was forthcoming without the need of making an Order. The Board did useful work in another direction, by laying down the tariff to be charged by landladies in the various areas. This tended to steady the exorbitant charges which it was freely alleged were made by landladies in the crowded areas. On the whole it is probable that the Billeting Board did as much to solve the war housing difficulties as any other agency.

The last point to which the Ministry of Munitions directed their attention was the provision of recreation for munition workers. In this connexion it must be remembered that it was almost as important to keep up the spirits of the munition workers as of the soldiers. Several schemes for the provision of clubs for munition workers were initiated by the Welfare Section, and one on a large scale at Birmingham was a considerable success.

After all this it may be asked whether the time-keeping and general works discipline was any better at the end of the War than before all these efforts were put out. The only answer that can be given is that the munitions required for victory were produced. It may be that they would have been produced if nothing had been done to improve workers' conditions. But the fact remains that with these efforts not only were the supplies forthcoming, but valuable social lessons were learned, which may well have a permanent value for industry. That is a tribute which cannot be paid to many of the events of the Great War.

CHAPTER XI

MOBILITY

WE have traced the steps by which work was made continuous, by which intensive use of the skilled man was made, and by which the greatest value possible was obtained from the hours worked. We now come to the description of how the man was brought to the work where he was required and how he was induced to stay there—in other words to the account of the War Munitions Volunteer Scheme, and certain allied schemes, and of the system which required that before a man could leave munitions work he must obtain a leaving certificate.

The credit for the origination of the War Munitions Volunteer Scheme belongs to the two Committees established by Major-General Sir Percy Girouard on the Tyne and the Clyde at the end of March 1915 and known respectively as the North-East Coast and Clyde Armaments Committee. The Tyne Committee consisted of 16 members—8 Government officials (2 each from the War Office, Admiralty, Board of Trade, and Home Office) and 4 employers and workpeople. The Clyde Committee, in addition to the Chairman, had 36 members—4 Government officials and 32 employers and workpeople. In both cases the Committees addressed themselves to the urgent task of attracting skilled workmen from private employment to munitions work in the area. They began—as the Board of Trade had begun earlier in the year¹—by making an unsuccessful appeal to employers engaged on private work to release men for munitions. Following upon this they issued an appeal to workmen to enrol for munitions work—an appeal which, in the case of the North-East Coast Committee, was extremely successful. The scheme was attractive and simple. The men were invited to join a mobile column which was known as ‘The King’s Squad or Flying Column of Armament Workers’. They were promised that they would earn ‘the same (or more) wages and be under no military restrictions whatever’.

¹ See Chapter VI.

They were asked to be ready to transfer themselves to any ship-yard or engineering works on the north-east coast, engaged in munitions, upon the receipt of a telegram informing them where their services were required. All that workmen who joined the scheme had to do was to fill up the coupon of enrolment and subsequently to act on telegraphic instructions. From the middle of May to the end of June, when the scheme was in operation on the Tyne, 5,730 men were enrolled, and 1,680 were accepted by employers. On the Clyde the War Squad, started on the north-east coast model in the middle of June, had obtained by the middle of July 9,755 enrolments and 4,320 men had been accepted by employers.

The first principle of the War Munitions Volunteer Scheme had been established—the voluntary undertaking of a workman to place himself at the disposal of the Government to be sent where his services were most required. Having established this principle the Committees proceeded to establish a second, which was also embodied in the national scheme. A difficulty arose when workmen were transferred, on the question of travelling time (i.e. payment for time lost in travelling to and from a job) and subsistence allowances for nights compulsorily spent away from home. Both these questions had long formed the subject of negotiation between the employers and employed. The North-East Coast Committee resolved this controversy by agreeing that workmen transferred to Government work from their homes should be entitled either to subsistence allowance at 2s. 6d. a night for each night's absence from home or workman's fares both ways with one hour's travelling time daily. This resolution was endorsed by the Munitions of War Committee (of which Mr. Lloyd George was Chairman) and was put into force. The allowances thus settled became a part of the general volunteer scheme.

The results obtained by these Committees locally were admirable, but it was clear that the situation demanded an effort, possibly on the same lines, for a national scheme. Mr. Lloyd George in a speech at Manchester, from which an extract is quoted in Chapter VII, had suggested that if voluntary methods could not produce the industrial organization which the military

situation demanded, other methods might have to be adopted. He repeated this warning with great earnestness when he met the National Advisory Committee¹ on the 8th June 1915. The National Advisory Committee, after considering his speech, proposed as an alternative to any resort to compulsion that the King's Squad Scheme should be placed on a national basis and that there should be a general appeal to skilled workmen, not engaged on munitions work, to enrol and thus to engage to go wherever their services might be required. It was suggested that the scheme should have the same conditions as those attaching to the North-East Coast Scheme, namely that the workman should carry his wages with him and should be entitled either to subsistence or travelling allowance. The workman should, in addition, only be required to work with firms of which the profits were controlled by the Government.

The scheme, which was at the outset regarded as a sort of Derby Scheme² for industry, was accepted by the Government. Their decision was announced by Mr. Lloyd George to a general conference with the Trade Unions concerned held on the 10th and 16th June. In the course of his speech Mr. Lloyd George read out the following undertaking which volunteers would be required to sign :

In accordance with arrangements which have been made with the Minister of Munitions by the National Advisory Committee, acting on behalf of the Trade Unions, I undertake with the Minister of Munitions to accept employment in making munitions of war in such controlled establishments as may be named by him, and to remain in such employment during the War for so long as required (not exceeding six months in all), subject to the conditions set out on this form.

The conditions were :

1. The rate of wages will be that of the district to which the workman is transferred, provided that if in any case the workman proves that this is less than the rate he was receiving before enrolment, he shall be entitled to the higher rate.

¹ The labour Committee set up in accordance with the terms of the Treasury Agreement.

² The Derby Scheme was the last attempt to obtain the recruits required by the Forces on a voluntary basis. The scheme was initiated some months later.

2. The workman will receive, over and above his wages, the following allowances :

- (a) If brought from a distance beyond that which he can reasonably travel daily, railway fare at the commencement and completion of the work for which transferred, and where necessary, subsistence allowance at the rate of 2s. 6d. per day for seven days per week. It is clearly understood that the subsistence allowance is not intended to enable any workman to make a pecuniary profit.
- (b) If within daily travelling distance (exceeding half an hour each way), the value of workman's tickets and one hour's travelling time per day at the rate of time and a half.
- (c) If within daily travelling distance (not exceeding half an hour), the cost of workman's tickets.

Subsistence and travelling allowances will be paid by the firm employing the workman with the wages.

3. The workman may volunteer for a further period of employment after the completion of the period for which he is required in the first instance.

4. Any workman transferred from employment under this undertaking shall, if found suitable, be guaranteed employment during the War for a period not exceeding six months.

Finally the workmen signed a declaration in the following terms :

'I agree that any breach of this undertaking may be dealt with by a Munitions Court, consisting of a Chairman appointed by the Minister of Munitions, with Assessors, equally representing employers and workmen, which may, if it thinks fit, impose a fine not exceeding £3.'

This undertaking and the whole scheme was originally on a purely voluntary basis, but was given statutory force by section 6 of the Munitions of War Act, 1915, which, in addition to making a breach of the undertaking a statutory offence, made it an offence for an employer to prevent a workman from enrolling. It should be added here that, though it was generally understood that the scheme was a last throw for the voluntary principle in

industry, when it failed, as it did in the early months of its application, no effort was made to resort to compulsion.

On the 24th of June enrolment began. The first proposal was that the whole scheme should be operated through the Employment Exchanges. It was, however, represented to the Minister of Munitions that it might be better to institute a system of munitions work bureaux, which would mark the special war character of the scheme. Four hundred of these bureaux were opened, half in town halls and municipal offices and the other half in Labour Exchanges, which, for the purpose in hand, temporarily assumed the new name. A considerable campaign of advertisement was initiated, inviting skilled workmen not engaged on munitions work to enrol themselves at the appropriate bureau for such work. Great assistance was given by the members of the National Advisory Committee and other Trade Union leaders, who advocated enrolment throughout the country, making it plain that the scheme was in fact the alternative to industrial compulsion. The dates advertised for enrolment were between the 9th and 16th July 1920, and during that period no less than 91,000 men entered their names, while in the following two months some 11,000 more enrolled at the Exchanges after the bureaux had been closed. The total at the end of that time had reached the figure of 102,027 men, who were classified as follows :

Platers, Riveters, Drillers, Shipwrights	23,564
Toolmakers, Toolroom Workers, and Gauge Makers	1,834
Toolsetters	193
Millwrights	1,727
Turners	7,971
Fitters	24,830
Capstan and Turret Lathe Operators	830
Skilled Metal Machinists	6,710
Other Metal Machinists	1,884
Workers on Brass and other Metals	4,667
Lead Burners	256
Coppersmiths	395
Unanalysed	27,166
Total	102,027

There was at this time, as had been frequently observed, a grave shortage of skilled men, particularly of toolmakers, millwrights, fitters, and turners. The figures of the enrolments therefore raised high hopes, and it seemed as though the scheme

were destined to do more than any other single expedient adopted by the Government to improve the situation. But these hopes were disappointed, at any rate in the early days of the scheme. For it began to appear almost at once that large numbers of the volunteers were already engaged on war work, while others had not the requisite skill ; and on the other hand it became obvious that the machinery originally devised was unsuitable, that the employers of skilled men were reluctant to let them go, and that prospective employers were unwilling to take them because of difficulties with their own men which might be provoked by the wages conditions under which the volunteers were enrolled.

At the outset the Employment Exchanges were only concerned with enrolment, and were not permitted to place the volunteers. Every workman, after enrolment, was given a certificate. The enrolment forms were classified and a copy of each was retained, the original being sent to the head-quarters of the Ministry of Munitions. At the time of the enrolment a communication was sent to the volunteer's present employer, stating that the workman had been enrolled, and giving the employer an opportunity of protesting against the transfer if he so desired.

Under this arrangement both placings and the decision upon objections of employers were carried out centrally by the Ministry of Munitions. This meant, with regard to placing, that the whole business had to be transacted by correspondence. The appropriate form describing the volunteer's experience and qualifications was received by the Ministry. It was then forwarded to an employer who had notified a vacancy for which the volunteer seemed suitable. If the employer was prepared to engage the man without seeing him, he so informed the Ministry, who then instructed the man to report himself.

This procedure clearly involved difficulties, but the difficulties of deciding upon objections centrally were no less. 102,027 men had enrolled and within a very short period objections in respect of 60,000 of these men had come to hand. The protest normally accompanied the volunteer's enrolment form together with a note on the case by the manager of the local Employment Exchange. The grounds of the protest were almost invariably that the employer was already engaged upon war work and that the

workman in question was required for that work. The business of adjudication on these protests had been entrusted at the Ministry of Munitions to a Committee of business men of the highest standing, chosen for their expert knowledge of the trades involved. But this Committee discovered, almost in the first week of its labours, that the notes accompanying the original protest were inadequate as the basis of a sound decision. An adjudicator in deciding had to have not only a first-hand knowledge of the nature of the firm's production, but he must also have detailed information as to the circumstances of the moment. It was necessary for him to know what were the contracts upon which the firm was engaged, how important they were from the national point of view, if they were large enough to give employment whole-time and even over-time to all the skilled workmen in the firm's employment, how far it was true that the loss of a single individual would embarrass production as a whole, and how far it was safe to interfere with one firm's munitions production in favour of that of another. The answer to these questions called for exhaustive local information, which could only be obtained by inspection. Accordingly the Committee initiated an elaborate system of inspection, using for this purpose the officers of the Employment Exchanges and the Home Office inspectors. Inspection, however, could not of itself coerce the employer to release the man, nor could it compel the prospective employer, acting only on paper information, to take him. By the end of August—only two months after the initiation of the Volunteer Scheme—the Committee of business men had come to the conclusion that the scheme on the lines upon which it was being administered was a failure.

The figures of placings of volunteers gave a good deal of colour to this view. By the end of September, out of the 102,027 volunteers, 37,551 had been submitted to employers and 28,551 had been accepted. Of those accepted only 4,529 had started work. The reasons for the failure have already been indicated, but the position was still not hopeless. The machinery could be amended, employers as they grew accustomed to the scheme could be more easily induced to take men, experience could and did produce a priority list showing the relative urgency of various

classes of war work, and finally, though the net supply of skilled men could not be increased, by personal visits and investigation, as the dilution system grew and extended, it became far easier to choose the right men and overcome the objections of employers.

But all these changes involved time, and the scheme must be judged not by what it failed to accomplish during the difficult months of its inception, but by what it achieved during its whole history when the War Munitions Volunteer had become a recognized and accepted unit in the war-time world of industry. The first step in the improvement of machinery was to decentralize and place on the Employment Exchanges the duty of placing as well as of enrolling. The second—equally important—was the introduction of the dilution officer upon the scene. As his power and experience grew, the officer transformed the situation. It was an essential part of his duty to see that skilled labour was fully and economically used, and by virtue of close inspection, and of a constant touch with the munitions firms in his area, he was able to insist upon releases.¹

Moreover the Trade Card Agreement (see Chapter IV) gave an added value, from the labour point of view, to the War Munitions Volunteer Scheme. One of the conditions of that agreement was that the Trade Unions should exert all their influence to persuade their members—exempted from enlistment by the agreement—to enrol. Though the agreement did not in fact largely increase the numbers of men, it emphasized the growing importance, from the workman's point of view, of being a War Munitions Volunteer. For the volunteer was the last person in all the ranks of the skilled men to be recruited.

The machinery of the scheme during its later stages worked as follows. In the case of spontaneous enrolment—as distinct from enrolment as a result of dilution—enrolment was strictly limited to workmen in certain specified occupations in which there was an unsatisfied demand. Enrolment was normally effected at an Employment Exchange, though in certain cases it was carried

¹ Power was taken under the Amending Act of 1916 to take proceedings before a munitions tribunal against an employer for dismissing a workman within six weeks of enrolling as a volunteer. It was generally alleged that dismissal had been used by certain employers as a means to deter men from enrolling.

out at the part-time sub-office of the Exchange known as a branch office. In the case of a volunteer living more than five miles from the nearest Employment Exchange or branch office, a railway warrant might be issued for the purpose of interview. Enrolment as the result of dilution meant enrolling a man whom the Chief Dilution Officer had decided was transferable to other employment. Such enrolments were in fact carried out by Employment Exchange Officers either at the Employment Exchange or at the premises of the firm where the man was working.

The first step towards transferring to other employment a spontaneously enrolled volunteer was to send to his present employer notice of intention to transfer, giving that employer the opportunity to protest. If no protest was received, the transfer could be effected at once; if a protest was made, the transfer was delayed pending the decision upon it of the Chief Dilution Officer.¹ Subject to any special instructions by the Chief Dilution Officer, the transfer was made in accordance with the urgency of the work being performed by the various employers in need of labour. The decision as to the relative urgency was based on a priority list of firms. This list contained the names of firms submitted by the Supply Departments of the Ministry of Munitions, the Admiralty, and the Contracts Department of the War Office. It was drawn up by an expert Committee which sat first at the Ministry of Munitions and later at the Ministry of National Service. It was the duty of that Committee to keep the list up to date in the light of the changing needs of the military situation. It decided between the claims of manufacturers in the same class of work on its own initiative, and later received instructions as to the relative urgency of different classes of work from a Sub-Committee of the War Cabinet set up to deal with this matter. By virtue of the existence of this list many of the difficulties which had attended the scheme in its early days were removed.

In the case of men enrolled as a result of dilution, the man's employer was not given an opportunity to protest against the transfer. Normally the Chief Dilution Officer directed to what firm the man should be transferred. In both cases the procedure

¹ The Chief Dilution Officer had been substituted for the Committee of business men, who had originally acted as adjudicators.

for transfer was identical. Particulars of the qualifications of each volunteer who was to be transferred were supplied to the prospective employer. In case of acceptance the volunteer received formal notice of transfer, a form for claiming allowances, and, where necessary, a free railway warrant. At the same time the man's present and prospective employer were both informed, and the latter was required to report the man's arrival at the nearest Employment Exchange.

It will be seen that the scheme in its final form had overcome a number of the original difficulties. It proceeded on the basis of a priority list, it was worked locally as the result of local knowledge, and the introduction of the Chief Dilution Officer applied a measure of compulsion to the employer. But even so it must not be supposed that the scheme was not attended with manifold difficulties. The two greatest were concerned with wages and housing. On the first point it has already been said that the workman on transfer was entitled to the district rate or his own previous rate if that was higher. This provision gave rise to endless difficulty, particularly in the case of men employed upon piece work. In the case of men engaged on time work there might be the trouble of bringing in a stranger at a higher rate than that generally paid in the establishment. In the case of piece workers, however, there were all the added difficulties of fixing an average wage. It may well be supposed that in administration the wages questions involved were fruitful sources of trouble, and indeed it is the fact that a small section of the Ministry of Munitions was almost wholly occupied in attempting to solve the innumerable riddles that arose—all of which could have been avoided if the volunteer had been entitled to the district rate and nothing more. Nor can the question of wages be left without observing that particularly after the abolition of section 7 of the Munitions of War Act of 1915 (the section dealing with leaving certificates) the effect of men wandering from establishment to establishment with varying rates of wages tended to raise wages generally and thus to confuse still further the complicated problem of wages in war time.

But if the wages problem was productive of difficulty to the employer and the administrator, what has been called, for

shortness, the ‘housing’ problem pressed hardly on the volunteer. In the first place the housing shortage was acute, and volunteers transferred to busy armament centres found lodgings difficult to come by, expensive, and often unsatisfactory. This was only the beginning of the grievance. The workman had to endure these conditions, and endure them when separated from his own home for long periods. Men grew excessively tired of this state of affairs, and as the War drew on, service with the War Munitions Volunteers became recognized as arduous and disagreeable.

These were only two of the many complications of the scheme, the complexity of which may be gauged by the fact that the official codified instructions ran into 48 pages of print. Nor is this length to be ascribed to an inability on the part of the compilers to reduce their ideas within a reasonably economic compass. The instructions contained among other matters—directions upon such points as treatment of applicants of military age, apprentices, unsuitability for enrolment or refusal to enrol in the case of a man notified to the Exchange by the Chief Dilution Officer for enrolment, lost badges, keeping of registers, re-enrolment, progress and statistical returns, excepted industries, special levies, trade disputes, Enlistment Complaint Committees, holidays, inquiries and investigations as to allowances, carriage of heavy tools, reallocation of volunteers on personal grounds, illness, &c. One such direction may be quoted dealing with a comparatively minor point of the scheme as indicating its manifold complexities.

WORKMEN FROM THE DOMINIONS

(a) In future all workmen from the British Dominions may be enrolled as War Munitions Volunteers, although they are under contract with the Australian Commonwealth Government, a British Government Department, or a private firm, provided that they are otherwise eligible (e.g. that they have the necessary degree of skill and that their occupations fall within the trades enumerated on W.M.V. 33). Australian workmen who have been brought over under contract, &c., and arrived in this country subsequent to July 17, 1917, may, however, be enrolled regardless of the limitation of occupation shown on W.M.V. 33 Revised.

(b) The ordinary form W.M.V. 1 is to be used for the purpose, but it must be amended on the back by the insertion, after the word ‘week’ in the fourth line of Clause 2 (a), of the following words: ‘Provided that no allowance from any source is already being made in respect of dependants

either in this country or in the British Overseas Dominions.' The words must be written in the margin of the form and initialled by the workman at the time of signing the form.

(c) On the front of the form W.M.V. 1, the space allotted to 'Nature of work in which engaged' and subsequent spaces up to and including 'Department in which engaged' provide for particulars which are required only when the applicant is in employment. Again, the space allotted to 'Work desired' and subsequent spaces up to and including 'Qualifications for such work' provide for information which is required only when the applicant is unemployed. One set of space is, therefore, unused on each form, and should be used in the enrolment of workmen from the Dominions and Colonies for the recording of the following particulars :

- (i) The Dominion or Colony in which the workman is ordinarily resident.
- (ii) The name of any private firm and/or any Government Department with which the workman is under contract. In this connexion it should be understood that the contract referred to is one for a definite period and not for the ordinary 'contract of service' terminable by the notice customary in the trade.
- (iii) The nature of the evidence produced by the workman in support of his claim to be under contract with a private firm or Government Department.
- (iv) (a) In the case of a workman brought over under contract with the Ministry of Labour, the number of the White Identification Card issued by Mr. Windham to Canadians, or, as regards South Africans, the number of the copy of the contract with the Transvaal Chamber of Mines ; (b) in the case of workmen under contract with the Australian Commonwealth Government, whether the man produces a white or a pink identification certificate, and if so, the number of the certificate and badge ; (c) in the case of workmen who have come over to this country on their own initiative or who were brought here by a private firm and who have entered into a contract with the Ministry of Labour subsequent to their arrival, the number (shown in red ink) of the buff Identification Card E.D.334 (Dominions) should be given ; (d) the information thus required to be shown on the front of W.M.V. 1 is additional to the amendment which, under sub-paragraph (b) above, is to be made on the back of the form ; (e) Colonials who are not eligible for enrolment as War Munitions Volunteers should be treated as ordinary applicants (and may, of course, be enrolled as War Work Volunteers if they so desire).

The statistics of placings in the early months of the scheme have been given up to September 1915. The numbers placed

during the remainder of 1915, even after transfer to the Employment Exchanges, were not more encouraging, producing only an additional 1,000 placings, and as late as June 1916 only 12,234 War Munitions Volunteers had been placed in employment. But from that time the various changes described above began to operate with increasing force, and by the end of the War 81,178 men had been transferred to places where they were urgently required. These figures are in themselves almost conclusive. But if it be maintained that with better administration or more fore-thought the scheme might have been more fruitful, it is perhaps sufficient to quote the final report of the Committee on Embargoes presided over by Mr. Justice McCardie (presented in December 1918). Complaints had been made to that Committee as to the treatment and general handling of the War Munitions Volunteers. On that the Committee observe :

The scheme as a whole has worked well, and has undoubtedly been of great advantage to this country. It necessarily involved, however, great complexity of organization, and a good deal of difficulty in carrying out various details of the scheme could scarcely be avoided.

The War Munitions Volunteer Scheme was the first, but by no means the only scheme designed to increase the mobility of labour. Reference has already been made to the important part played in this respect by the scheme for Army Reserve Munitions Workers.¹ The description of the effort made in this direction would, however, be incomplete without some reference to the National Service Volunteers, the War Work Volunteers, and the Army Artificer Volunteers.

NATIONAL SERVICE VOLUNTEERS

The National Service Volunteer Scheme was inaugurated by the National Service Department early in 1917. Its object was to procure labour required for national purposes during the War.

At the outset the scheme was limited to men for whole-time service ; the question of women and of part-time service was left over for future consideration. (Towards the end of March 1917 women were allowed to enrol for agriculture, and ministers of religion were allowed to enrol for part-time service.) The scheme

¹ See Chapter VI.

aimed at including all men between the ages of 18 and 61, whether engaged in any form of employment, working on their own account, or not employed. It was, however, clearly laid down that the enrolment as a National Service Volunteer of any man of military age would not exempt him from military service, and that a man already engaged on work of national importance, although enrolled, would not be moved from his existing employment without special instructions from the Director General of National Service. At the outset it was laid down that men who applied for enrolment as National Service Volunteers and who appeared to be eligible for enrolment as War Munitions Volunteers were to be enrolled under both schemes if they were willing for this to be done, but were to be regarded primarily in such cases as War Munitions Volunteers ; men who were already War Munitions Volunteers were not to be enrolled as National Service Volunteers.

Shortly after the scheme had been put into operation, however, it was decided that no man eligible and suitable for enrolment as a War Munitions Volunteer should be enrolled as a National Service Volunteer. Ireland was not included in the scheme.

The conditions of enrolment were as follows :

The volunteer agreed to attend, when summoned for interview, at a National Service Office near his home, and, if required, on receiving seven days' notice, to undertake whole-time work of national importance in the employment of any Government Department or other employer named by the Director General of National Service, and to remain in such employment during the War or for such shorter period as might be required by him, in accordance with the following conditions :

1. The rate of wages which he would receive whilst he was in such employment would be the rate current for the job on which he was to be employed, or 25s. per week for the standard week prevailing in the district for that work, whichever rate was the higher.

2. He would receive, over and above his wages, the following allowances :

(a) If the work allotted to him were near enough to his home to enable him to reach it and return from it daily, a sufficient allowance to cover his necessary extra travelling expenses.

(b) If the work allotted to him were at such a distance as to

necessitate his living away from his home, a free railway warrant to enable him to take up his employment, and a free railway warrant to return home when his work was completed, together with a subsistence allowance, where necessary, at a rate not exceeding 2s. 6d. per day for seven days per week.

3. If, after being called and employed, he was discharged by his employer after completing the work allotted to him, and no further work was available for him, he might apply to the Sub-Commissioner of his district, who would, if satisfied of the justice of his claim, pay him, whilst no work was available for him, at the rate of 3s. 6d. per day (including Sundays) for a period not exceeding four weeks, the first payment to be due one week after the commencement of unemployment.

4. Any question arising on these terms and conditions was to be decided by a Commissioner or other person authorized by the Director General to act, assisted by assessors representing employers and employees, and the volunteer agreed to accept his decision as final and binding.

The foregoing terms and conditions were not to apply until the volunteer had been actually called upon to serve.

An appeal to the public to enrol was issued by the Director General of National Service. The Employment Exchanges were also instructed to bring the scheme to the notice of all men between the ages of 18 and 61 who applied in the ordinary way for employment.

The normal procedure was for the intending volunteer to obtain from a National Service Office (Employment Exchanges and certain selected branch employment offices were for this purpose National Service Offices) or a post office, a volunteer's form, which was to be filled up by the volunteer, signed by him, and posted to the Director General of National Service. The forms were then sent to the Claims and Record Office at Kew for classification and were subsequently sent to the Employment Exchange within whose area the volunteer resided. The Exchange then proceeded to set apart the enrolment forms of men employed in munitions works, shipbuilding, ship-repairing, agriculture, mining, docks, or on railways, and to inform such men that their offers of service had been recorded, but that no action would be

taken upon them until men on work of less importance had been dealt with. (An additional restriction, which throws an interesting sidelight on the scope of the appeal for volunteers, was contained in an instruction, issued at the beginning of March 1917, that 'volunteers who are Members of Parliament, or are in the service of Government Departments, should not, pending further instructions, be summoned for interview'. To these classes there were subsequently added employees of local authorities.) All other volunteers were summoned to attend for interview at a National Service Office. Men residing at a distance of five miles from the place of interview were given a free return railway warrant. Where a volunteer applied at an Exchange for a volunteer's form he was, if possible, interviewed at once so as to dispense with a subsequent interview. Shortly after the scheme commenced, special arrangements were made for the professional classes and ministers of religion.

National Service Offices, for the purpose of interviews, were to be the Employment Exchange and the town hall or other municipal building. A special point was made of giving volunteers the option of attending either at the Employment Exchange or at the town hall. A further concession was the cleaning of Employment Exchanges and the re-decoration of one room and of the entrance thereto in order to make the Employment Exchange premises 'as clean and presentable as possible'. The supervision of the work of interviewing was in the hands of Employment Exchange Officers in all cases, whether the interviews were conducted at the Employment Exchange or elsewhere. Sanction was given to the employment of temporary staff to assist in the work of interviewing when necessary and where necessary, the services of voluntary workers were also to be enlisted.

At the interview the qualifications of the volunteers were recorded and each volunteer was classified according to his apparent suitability for (a) the work, if any, for which he stated a preference; (b) certain specified occupations; (c) heavy labouring work; (d) light labouring work; (e) clerical work only. The volunteer's nationality was also recorded if he were an alien. A complete register of all volunteers was kept at the National Service Department.

The conditions for transfer were that the vacancy should have been approved by the National Service Department, and that the employer should have signed an undertaking to observe the conditions of the scheme. Even when these conditions were fulfilled, volunteers were not supplied if ordinary Employment Exchange applicants were available. The detailed procedure for transfer (submission of particulars to prospective employer, notice to present employer giving opportunity to protest, instruction to the volunteer to move, issue of railway warrant and form for claiming allowances) was similar to that in force for War Munitions Volunteers. There was a provision that no volunteer must be sent to fill a vacancy in respect of which a trade dispute was known to exist. The normal procedure was varied so far as agricultural employment was concerned.

As from the 30th April 1917 an important change was made : the whole work of interviewing and placing male National Service Volunteers (other than those belonging to the professional classes) was taken from the Exchanges and placed in the hands of officers of the National Service Department, viz. Substitution Officers and Agricultural Commissioners and Sub-Commissioners.

In October 1917, in connexion with the War Work Volunteers Scheme, which superseded the National Service Volunteer Scheme, the Ministry of National Service re-transferred to the Employment Exchanges all current orders from employers for National Service Volunteers and the records of the volunteers themselves. No further steps were to be taken to transfer such of the volunteers as were not at the time employed as volunteers (except male enemy aliens), and, as regards those who were at the time employed as volunteers, they remained as volunteers only so long as that employment, and the receipt of National Service Volunteer unemployment benefit consequent upon losing that employment, lasted. Thereafter the National Service Volunteer enrolment was regarded as cancelled, and the Exchange could only place such ex-National Service Volunteers either as War Work Volunteers or as ordinary applicants for employment.

Statistics.

The number of applicants for enrolment received by the

Exchanges was 272,661. Out of this number 8,842 were placed in employment, 2,267 of them being placed not as National Service Volunteers but as ordinary applicants for employment.

There is appended a brief note on the Restricted Occupations Order, in view of its connexion with the National Service Volunteer Scheme.

On the 28th February 1917 the Minister of Munitions, at the request of the Director General of National Service, issued an Order under Regulation 8a of the Defence of the Realm Regulations. The important provision of this Order, so far as the work of the Employment Exchanges was concerned, was one to the effect that after the date of the Order the occupier of a factory, workshop, or other premises, should not take or transfer into employment in any of the industries or occupations specified in the schedule, whether to fill a vacancy or otherwise, any man between the ages of 18 and 61, whether previously so employed or not, except with the consent of the Director General of National Service, or except a man discharged from H.M. Forces and taken back into employment in accordance with an undertaking given by the employer before the man joined up.

The arrangements made by the Director General of National Service under this Order provided for the necessary consent to be given on his behalf by the managers of Employment Exchanges. The consent was to be given in cases in which (a) an employer required a specified number of men for work of national importance in respect of which he could produce a 'Priority A' certificate; (b) an employer required a man who had applied to an Employment Exchange for work and who had failed for a continuous period of six working days to obtain employment; (c) an employer required a man who had been offered to him through an Employment Exchange prior to the 2nd March 1917 (this last provision was a temporary one to meet what would otherwise have been a hardship). The certificate of consent was to be valid for one month, and was renewable thereafter, and the restrictions in the Order were not to be enforced in respect of any sailor or soldier who had been discharged from the Forces in consequence of disablement or ill health. Aliens were regarded as coming within the terms of the Order.

As from the 16th of March a fresh provision was added under which workmen between the ages of 18 and 61 might be employed in a restricted occupation if enrolled as National Service Volunteers.

As from the 7th June 1917 permits were no longer issuable by Employment Exchanges.

On the 29th October 1917 an instruction was issued that in future the Order was only to be enforced in respect of aliens, and on the 23rd April 1918 the Order was withdrawn.

WAR WORK VOLUNTEERS

Aim and Scope of the Scheme.

The War Work Volunteers Scheme was instituted in October 1917 by the Ministry of National Service.

1. *The Limited Scheme.* In advance of the general scheme to be described below, a limited scheme was put into operation with the object of minimizing, as far as possible, the dislocation thought likely to arise in connexion with the abolition of leaving certificates so far as concerned men not eligible for enrolment as War Munitions Volunteers. This limited scheme only applied to men in employment at certain specified establishments ; men who were eligible for enrolment as War Munitions Volunteers or as Army Reserve Munitions Workers, or who were eligible for 'registration as substitutes', were not covered by the limited War Work Volunteer Scheme.

The inducement to enrol was the offer of a subsistence allowance. Workmen who were enrolled under this limited scheme were directed to remain in their existing employment.

2. *The General Scheme.* The general War Work Volunteers Scheme was also brought into operation in October 1917. It was a scheme for the enrolment of workmen for work of national importance. The War Work Volunteers Scheme did not apply to Ireland.

Terms and Conditions of Service.

Roughly speaking, the conditions and the privileges were similar to those attaching to War Munitions Volunteers. But the War Work Volunteer Scheme differed from the War Munitions Volunteer Scheme in the following respects :

- (a) it was controlled by the Ministry of National Service;
- (b) as a general rule enrolments in advance were not to be invited: enrolment was confined to men who had actually been accepted by employers for what were termed 'sanctioned vacancies', which included all vacancies which had been granted priority by the Priority Committee, all substitution vacancies, and any others sanctioned from time to time by the Ministry of National Service;
- (c) it was originally contemplated that enrolment should be of four kinds:
 - (i) men enrolled by Exchanges for a year, called W.M.V. (G);
 - (ii) men enrolled by Exchanges for a specific job, called W.M.V. (S);
 - (iii) men enrolled by the Ministry of National Service Trade Committees for a year, called W.M.V. (T.G.);
 - (iv) men enrolled by the Ministry of National Service Trade Committees for a specific job, called W.M.V. (T.S.);
- (d) all Volunteers were entitled, by the terms of their enrolment, to out-of-work allowance under certain conditions.

Machinery.

The procedure for dealing with War Work Volunteers enrolled by Exchanges (the arrangements for enrolling and placing, &c.) was roughly on the same lines as that relating to War Munitions Volunteers, and, like the latter scheme, involved the putting into operation of a large number of instructions on points of detail, which became more and more complicated as the situation with regard to liability for, and exemption from, military service developed. There was an arrangement for assigning volunteers to their existing employment, and there were special arrangements for supplying volunteers for shipyard work.

As regards the War Work Volunteers enrolled by trade Committees the Employment Exchanges were only concerned with the placing of such volunteers in employment. The procedure was for the Exchanges to supply the trade Committees with lists of likely vacancies. The trade Committees then submitted particulars of volunteers to the employers through the

Exchanges, and on receiving notification of acceptance enrolled the volunteer and sent him to the work.

Statistics.

Between December 1917 and 14th November 1918 the number of applications for enrolment (apart from volunteers for assignment to existing employment and volunteers for shipyards) was 32,671. Of these, 15,619 were enrolled, 10,140 enrolments being for a year and 5,479 for a special job or area. On the 14th November 1918, 12,861 of these enrolled men were still in employment. The number enrolled and assigned to their existing employment was 7,700, and 7,103 were enrolled for shipyard work.

ENEMY ALIEN WORKERS

Aim and Scope of Scheme.

The Enemy Alien Workers Scheme was inaugurated in March 1918 with the object of utilizing the services of male enemy aliens. It took the place of the previous arrangements for dealing with male enemy aliens under the National Service Volunteer Scheme. The scheme did not apply to Ireland. The Enemy Alien Workers Scheme was limited to uninterned male enemy aliens up to the age of 61.

Terms and Conditions of Service.

Enemy alien workers were not entitled to out-of-work allowance or travelling allowances ; they were, however, entitled to subsistence allowance if they could prove that their home was mainly dependent upon them. The rate of subsistence was 1s. 6d. per day for seven days per week for a wife or other dependant (not being a child under 14 years of age) and 4d. per day for each child under 14 years of age up to three children. The total amount of subsistence payable in any case was, however, limited to 2s. 6d. per day. The enemy alien worker was required to hand over to his dependants an amount equal at least to the whole of any subsistence allowance which might be paid to him. In cases of refusal to take a suitable job, the matter was reported to the Central Office ; where refusal was on the ground of medical unfitness, a medical examination was resorted to.

The following special conditions were to be observed in placing enemy alien workers :

1. They might only be placed on work of national importance other than munitions work (they could be placed on munitions work with their own consent provided that it was not in an establishment where explosives were made or handled) : the term 'work of national importance' was taken to mean Government work, Government contracts, public utility undertakings, agriculture, distributive trades, and substitution vacancies approved by the Local Advisory Committees attached to the Employment Exchanges.
2. They must receive current rate of pay in the district for the work upon which they were to be engaged.
3. The employer must undertake, in writing, to discharge the worker at the end of the War, or so soon as suitable British labour was available for the job.
4. Enemy alien workers might only be placed in occupations for which no British or friendly alien labour was available in the clearing area of the vacancy Exchange.
5. The employer had to state that the introduction of enemy alien workers into the works was not likely to lead to friction with the other workpeople.
6. Enemy alien workers could not be placed at work in prohibited areas on the east coast and could only be placed in other prohibited areas with the consent of the police and the competent military authority.

Machinery.

The Ministry of National Service compiled a card index of uninterred male enemy aliens up to the age of 61. Each card was transmitted to the Employment Exchange in whose area the alien to whom it related resided. At the Exchange the cards of those aliens who were already engaged on, or were definitely unsuitable for, work of national importance were separated.

All the rest of the aliens concerned were summoned for interview if they had not already been interviewed, being given a return railway warrant if necessary. At the interview, particulars

of the alien's qualifications were obtained. Efforts were then made to find a suitable vacancy. On a suitable vacancy being found, the alien was enrolled as an enemy alien worker. The procedure for enrolment and placing followed generally the lines of the War Work Volunteers Scheme.

Any protest by an employer against an alien's transfer was dealt with by the Ministry of National Service.

The scheme was brought to an end by the formal cancellation of all enrolments as from the 14th December 1918.

Statistics.

Up to the 11th November 1918 the number of enemy alien workers who had been registered was 8,849. By the 11th November 1918 over 40 per cent. of the cases had been found to be either already engaged upon, or unfit for, work of national importance : of the remaining 60 per cent., 927 were placed on work of national importance ; the rest of the cases had not been dealt with when the scheme came to an end.

ARMY ARTIFICER VOLUNTEERS

Army Artificer Volunteers were skilled mechanics who were enrolled for service as artificers in a technical corps in the Army or Royal Air Force. Enrolment was limited to men of certain specified occupations. As far as possible endeavours were made to enrol all eligible War Munitions Volunteers as Army Artificer Volunteers and vice versa. This scheme originated as a result of the provision in the Trade Card Agreement that the Ministry of Munitions should be responsible for the provision of skilled men required for mechanical work in the Army.

CHAPTER XII

LEAVING CERTIFICATES

WHEN all the other problems of labour regulation had been solved there still remained that of keeping the workman in the place where he was most required. To solve that the Government were forced into two of the most difficult labour problems which faced them throughout the War—the creation of a system limiting the movement of workmen, and the control of wages.

The way which occurred to many of solving the first problem—as indeed as of solving all others—was industrial compulsion, by which they meant the enlistment of every man of (and possibly over) military age, and his subsequent direction to civil or military duties as the need of the moment might dictate. This solution did not, however, find acceptance, and in its place other measures, less heroic, but in the end perhaps not less effective, had to be adopted. The difficulty of the problem was to discover a method which would not in fact be, or at any rate be capable of being represented as, industrial conscription.

The first step was taken in March 1915, when the complaints of ‘ poaching ’ had reached formidable dimensions. Employers all over the country, while eagerly attracting workmen by the offer of high wages, complained bitterly of similar action on the part of their competitors. Indeed the picture presented to a harassed Government was one of firms living mainly by taking in one another’s employees. The picture was highly coloured, but it was not wholly fanciful.

A Bill was introduced into Parliament amending section 1 (3) of the Defence of the Realm Consolidation Act, 1914, which in its original form empowered the Admiralty or the Army Council—

- (a) To require that there shall be placed at their disposal the whole or any part of the output of any factory or workshop in which arms, ammunition, or warlike stores or equipment or any articles required for the production thereof are manufactured ; (b) to take possession of and use for the purpose of His Majesty’s naval or military service any such factory or workshop or any plant thereof.

As the section stood, the Admiralty or Army Council could in fact have commandeered any munitions factories that they chose, and thereafter made such arrangements as to the engagement of labour as they thought fit. But this course would have involved dispossessing the existing managements, or at least making elaborate arrangements as to compensation, before the Government had had time to explore the many difficult questions that such action would provoke. Accordingly, it was decided to approach the problem from another angle. The section was amended to give the Departments power 'to regulate or restrict the carrying on of work in any factory or workshop', and to take over private factories and shipyards. The words are a trifle obscure, but their object was to enable the Departments to solve the 'poaching' problem by closing down in whole or in part any private establishments which were making serious inroads upon labour required for munitions work. This intention was made plain when the amended section was re-enacted in section 10 of the Munitions of War Act, 1915, with the addition of words to indicate that the restriction and regulation applied also to 'the engagement or employment of any workman on all or any classes of work therein'.

It was not likely that a plan of this kind would succeed or would even in practice be attempted. To close a great factory for the sake of obtaining the services of a small number of skilled men would on the face of it have been absurd. Not only would a large number of persons have been thrown out of work, possibly permanently, but the export trade of private factories—vital to the maintenance of the country's financial credit—would have been seriously impaired. No factory was ever closed under the powers given by this section, but the fact that such a course should ever have been contemplated was a measure of the desperate urgency of the problem.

The next step taken was more hopeful. It was clear that factories could not be closed wholesale; it was equally clear that, for the moment, no direct check could be placed on the workman's liberty of movement. The remaining alternative was to leave the employer in possession, but to restrict his liberty to engage workpeople at his unfettered discretion. Accordingly, in the

following month (April 1915) two regulations were made to deal with this matter—one under the Defence of the Realm Regulations and the other under powers vested in the Board of Trade by the Labour Exchanges Act, 1909.

The first regulation made it an offence for any employer engaged 'wholly or mainly on engineering, shipbuilding, or the production of arms, ammunition, or explosives or of substances required for the production thereof', to attempt to induce any workman engaged on war work to leave his employment, and further made it an offence to engage any workman, however employed, who resided more than 10 miles from the employer's works, except through an Employment Exchange. Supplementing this the Board of Trade made the following regulation :

The Officer in Charge of the Labour (Employment) Exchange in notifying vacancies to applicants for employment shall during the continuance of the present war give priority to such vacancies as he has reasonable ground for believing to be on work for any Government Departments or otherwise serving war purposes.

Much was hoped of these two regulations, but in fact they achieved little. The first regulation had been too narrowly drawn. It imposed a penalty for 'poaching' on the employer engaged on war work, but left the private employer untouched. But even when this defect was remedied by subsequent amendment, the regulation was found too clumsy an instrument to have much practical effect. The truth was that no employer really believed that to 'poach' labour was a crime. Conscious of the huge orders waiting completion, and harassed by the certainty that he could not hope to fulfil his promises of delivery, the employer felt it to be a duty to engage as much labour—however obtained—as could be collected. Crimes to be punishable must correspond to something in the general conscience, but neither employer nor workman could believe that to increase the output of munitions was criminal. There was no doubt whatever that 'poaching' continued as actively as ever both by direct and indirect canvassing. As far as direct canvassing was concerned, it was possible to stop overt advertisement, but it was not possible to keep track of private agents or private correspondence. So far as indirect canvassing was concerned, in the absence of any

wages regulation, employers could simply raise wages over those offered by their competitors and leave workmen to learn—as they very quickly did—that a change of employment would lead to increased remuneration. The truth was that the regulation was disingenuous. Its object was to restrict the movement of the workman. It attempted to effect this by dealing with the employer, and even then dealt only half-heartedly with him, leaving untouched his power to fix wages at any figure that he chose. Its results were negligible, and as the state of affairs which the regulation was designed to remedy continued, other measures had to be attempted.

These other measures were contained in section 7¹ of the Munitions of War Act, 1915—perhaps the most effective and certainly the most contentious provision in the whole code. The section has already been quoted, but as the effect of the actual wording must be discussed it is set out again in full :

- (1) A person shall not give employment to a workman who has within the last previous six weeks, or such other period as may be provided by Order of the Minister of Munitions as respects any class of establishment, been employed on or in connexion with munitions work in any establishment of a class to which the provisions of this section are applied by Order of the Minister of Munitions, unless he holds a certificate from the employer by whom he was last so employed that he left work with the consent of his employer or a certificate from the munitions tribunal that the consent has been unreasonably withheld.
- (2) If any workman or his Trade Union representative complains to a munitions tribunal in accordance with rules made with respect to these tribunals that the consent of an employer had been unreasonably withheld that tribunal may, after examining into the case, if they think fit, grant a certificate which shall, for the purposes of this section, have the same effect as a certificate from the employer.
- (3) If any person gives employment in contravention of the provisions of this section he shall be guilty of an offence under this Act.

The section, it will be observed, applies only to the class of establishments specified by the Minister of Munitions. These classes were specified in an Order made by him on the 14th July 1915 as

Any establishment being a factory or workshop, the business

¹ For official statement see Appendix 13.

carried on in which consists wholly or mainly in engineering, ship-building, or the production of arms, ammunition, or explosives, or of substances required for the production thereof.

The section applied, in other words, to the whole manufacture of munitions, wherever carried on, and not, as was often supposed, only to controlled establishments.

At last an attempt had been made to go to the root of the trouble. An expedient had been devised which, falling short of industrial compulsion, did impose a substantial penalty on the individual workman for leaving munitions work without good cause. The section revolutionized the position, and the test of its efficacy was the bitter opposition which it provoked. This opposition was in part due—as will be shown immediately—to certain defects in the drafting. But the main body of opposition was due to the fact that the section did effectually and constantly interfere with the workman's ordinary life. If labour is a commodity, then the section had removed the right of the workman to choose his market. From the purely material point of view this deprivation was seriously felt, but it was still more keenly resented in another aspect. The power of the employer and his foreman over the workman was limited first by the workman's right to leave, and secondly by combination of workmen into Trade Unions. The first check on possible oppression was to a large extent removed by the new section. The workman was or might be exposed to harsh or unfair treatment, and only be able to escape from it at the expense of six weeks' unemployment. Nor was it merely unemployment that he had to fear. With the appearance of the Military Service Acts, and even before, it was difficult for a skilled man out of work to avoid the recruiting officer.

Consequently, from the outset deep feeling was generated against the section, and this feeling was intensified by certain flaws in its drafting. In the first place there was no obligation upon the employer to issue a certificate, even if he dismissed a workman. Any of the following things might therefore happen. A workman might be dismissed and unable to obtain a certificate without application to a tribunal. A workman might be suspended without pay and not receive a certificate. A workman might be

compelled in every case to go to the trouble of applying to a munitions tribunal for a certificate. While the average employer did his best to see that the section was fairly administered, there undoubtedly were many cases where, either through ignorance or design, real hardship was inflicted upon the workman by withholding a certificate. In the second place the form of the certificate was not prescribed. It was therefore possible for an employer to inscribe upon it unfavourable comments upon the workman, if he so chose, and thus to convert the certificate into a 'character note'. The labour movement, as a whole, had fought strenuously against the system of 'character notes', and the section was in consequence viewed with deep suspicion as an indirect method of reintroducing an unpopular system. In the third place no statutory means existed of co-ordinating the varying decisions of munitions tribunals on the many difficult points of law which the application of the section involved. The Act contained no provision for appeal, and the only remedy against a wrong decision (adopted in one instance) was the clumsy one of mandamus.¹ Workmen and employers found that cases were decided on different principles in different parts of the country, and this tended further to exasperate feeling.

These and other points made the administration of the section difficult, but they did not substantially interfere with its efficacy for the immediate purpose of controlling the movement of labour. The section operated in two ways. It imposed a monetary penalty upon an employer for employing a workman, covered by the section, who did not hold a leaving certificate, and it penalized the workman, as has already been stated. Both classes of case kept the munitions tribunals busy. The numbers of prosecutions of employers were naturally far less than the applications of workmen for certificates, but the number was by no means negligible. Up to December 1915 there had been 89 cases before the general munitions tribunals (who dealt with this class of case), with 61 convictions and penalties amounting to £295. On the other hand there had been 3,913 applications for certificates from local munitions tribunals, of which 990 had been granted, 1,698

¹ i. e. an application to the High Court requiring the munitions tribunal to show cause why the case should not be reheard.

refused, 1,040 withdrawn, and in 189 cases certificates had been unnecessary.

These figures prove that the section had become a real factor in industrial life, but the Fairfield strike (see Chapter VIII), which originated in a dispute about leaving certificates, demonstrated this even more clearly. After that strike Lord Balfour of Burleigh and Mr. (now Sir) Lynden Macassey were appointed as a Commission of Inquiry 'to enquire into the causes and circumstances of the apprehended differences affecting munitions workers in the Clyde district'. More than half the Report which the Commission presented dealt with leaving certificates, which, in their view, were in large measure responsible for the trouble. They discovered all the difficulties to which reference has been made above, and were given many illustrations of how they operated in practice. It was urged that the effect of the section was to create unemployment in two ways. Employers dared not engage workmen without certificates, and workmen not knowing this, often left their work without one, and were condemned to the possibility of six weeks unemployment. Nor did recourse to the Tribunal completely cure this, because at best several days of unemployment must elapse before the certificate could be granted. Again some employers and many foremen used the power given by the section harshly. They enforced changes in the methods of working, they penalized men by delay in issuing certificates, and they refused certificates to men thrown out of work by a strike or breakdown of machinery: they would not allow men who had come from a distance to return home, and they would not grant certificates to workmen leaving to take up better work elsewhere.

It must not be assumed, because these complaints were made, that employers were universally or even generally abusing the powers of the section. But the Commission were satisfied that as drafted and applied in some cases the section did create a genuine and widely-felt grievance. They made a series of important recommendations, which may be summarized as follows:

1. No employer should enter on the certificate the reasons for dismissal.

2. Certificates to be obligatory on dismissal, except in very special cases.
3. The munitions tribunal should have power to award compensation to a workman from whom a certificate had been unreasonably withheld.
4. Where a workman unreasonably proceeded against an employer for a certificate, the munitions tribunal should have power to award costs.
5. In deciding on a workman's application the munitions tribunal should have regard to the relative importance of the present and prospective work.
6. Provision should be made for issue of certificates to workmen not previously engaged on munitions work, establishing that fact.
7. Skilled men, temporarily employed on unskilled work, should be given certificates to enable them to resume skilled work.
8. In case of workmen employed at a distance from their homes, certificates should be issued to enable them to take up munitions employment in the neighbourhood of their homes.
9. Workmen should be given certificates on the production of medical certificates.
10. Cases where certificates were claimed on the ground that a workman was not receiving the district rate should be the subject of arbitration under Part I of the Munitions of War Act, 1915.
11. Certificates should not be issued to workmen to leave for higher paid work, unless it was of greater national importance.
12. Where a certificate was refused, the employer should state his reasons in writing.
13. A more satisfactory procedure for the issue of certificates should be instituted by employers.

The Ministry of Munitions had concurrently been considering the position, and had arrived at much the same conclusions as the Commission, except that they were not prepared to consent to the proposition that an employer should be entitled to costs

against a workman who had unreasonably applied for the issue of a certificate. An Amending Bill had been under contemplation to deal with other points, including the definition of 'munitions work', which had caused some difficulty, and with the wages to be paid to women engaged on men's work. Advantage was taken of this to amend section 7 in accordance with the conclusions reached by the Department and the Commission. The relevant section is section 3 of the Amendment Act, a complicated section with six sub-sections.

Sub-section 1, together with sub-section 6 (6), removed the grievance that the employer could use the certificate as a character note. The first sub-section laid it down that the certificate was no longer a certificate of the employer's consent to a workman's leaving his employment, but a certificate that he was free to accept other employment—an important distinction. The second sub-section gave the Minister of Munitions power to make rules prohibiting 'the insertion in a certificate issued by an employer of any matter other than the prescribed particulars'. Sub-section (2) covered the points raised in the second and third of the Commission's recommendations—issue of a certificate on dismissal and compensation. The sub-section provided that 'where a workman . . . is dismissed or discharged by his employer, the employer shall forthwith give him . . . a certificate, and if he fails to do so, a munitions tribunal may, in addition to issuing or ordering the issue to him of such a certificate, order the payment to him by the employer of such sum not exceeding £5 as the Tribunal may think fit, unless the Tribunal is of opinion that the workman was guilty of misconduct for the purpose of obtaining dismissal or discharge'. The sub-section went on to meet a grievance not covered by recommendations of the Commission, by applying the same provision to the case of a workman who was refused a certificate after having been suspended from work without pay for more than two days.

This last amendment was of considerable importance, and was particularly unwelcome to employers. It interfered with the long-established practice in certain shops and districts of standing-off workmen without pay, when for one reason or other it was inconvenient or impossible to employ them. The question brought

to an issue in this respect by section 7 was not the creation of that section, and therefore by dealing with it the new sub-section unexpectedly, in the guise of an amendment of the 1915 Act, materially affected long-established practice. But an even more serious innovation was introduced by sub-section 3, perhaps the most important amendment, and one again not contemplated by the Commission. It was strongly urged by the workers' leaders that as a set-off against the possibility of six weeks' unemployment the workmen covered by the section should have some greater security of contract than the day-to-day basis which obtained generally. This claim, though hotly contested by employers, was adjudged reasonable. Sub-section 3 provided that a workman covered by the section should be entitled to a week's notice or wages in lieu thereof, and for failure to obey this injunction the employer was liable to a payment to the workman not exceeding £5, 'unless the tribunal is of opinion that owing to discontinuous or temporary nature of the employment or misconduct of the workman the employer had reasonable cause for dismissing the workman without a week's notice.' This sub-section made a week the standard period of contract for all workpeople covered by it, and to that extent considerably, though as subsequent events have shown, not permanently, improved the workman's security of tenure.

Sub-section 4 did not deal with grievances that had come to the notice of either the Ministry or the Commission. It cleared up doubts that had existed as to the position of the War Munitions Volunteer in regard to leaving certificates by providing that the section did not apply to the engagement of workpeople assigned to a firm by the Minister of Munitions in accordance with the provisions of section 6 of the original Act. Sub-section 5, on the other hand, dealt with the points raised on the Commission's recommendations (5) and (7), (10) and (11), and dealt further with the right of apprentices to leave on the termination of apprenticeship—a point which had occasioned a certain amount of difficulty. The sub-section provides that—

In determining whether the grant of a certificate has been unreasonably refused for the purposes of Section 7 . . . a munitions tribunal shall take into consideration the question whether the work-

man has left or desires to leave his work for the purpose of undertaking any class of work in which his skill or other personal qualifications could be employed with greater advantage to the national interests, and whether the employer had failed to observe the conditions laid down in the fair wages clause required by resolution of the House of Commons to be inserted in Government contracts, and whether the workman has left or desires to leave his work because he has recently completed a term of apprenticeship.

Sub-section 6 swept up the remaining recommendations of the Committee (except the one to which reference has already been made) by giving the Minister power to make rules—

- (a) for the issue, form, custody, duration, and delivering up, and replacement in case of loss or destruction of certificates ; and
- (b) for the issue of certificates to persons not engaged on or in connexion with munitions work.

Finally the difficulty created by varying decisions as between Tribunal and Tribunal was remedied by providing in section 18 (2) for an appeal from decisions of munitions tribunals to the High Court in England and Ireland and to the Court of Session in Scotland.

As far as the grievances caused by section 7 could be removed without impairing the principle upon which the section rested, they were removed by section 5 of the Amending Act. But, as was stated above, the main grievance was caused not by defects in the scheme but by the principle itself. However modified, however generously interpreted by Tribunals and administered by employers, it remained to the great body of workers a perpetual reminder of the restrictions imposed by war. For a short period the amendments did something to mitigate the feeling against the section, but that period was short. Great numbers of applications for certificates continued to flood the Tribunals. Inevitably the operation of the section became more acutely felt by the large numbers of men, working away from home, who were prevented by it from returning. Moreover, with the introduction of compulsory military service, the certificate acquired an added significance. A man without a certificate was liable to be seized by the recruiting machine. Added to this was the fact that, with all the attempts made to steady them, wages

continued to vary considerably between district and district, and even between establishment and establishment. As the cost of living rose rapidly and continuously, men felt more and more the restriction which prevented them from seeking work where wages were highest. Moreover, skilled men, who could not, because of the nature of their work, be put on a piece basis, watched with growing annoyance the wages earned in rival establishments by unskilled men on automatic machines.

All these and many other causes operated to make the section increasingly unpopular. As the War drew on, with continued disappointment and increasing strain, the existence of the section developed into a potent cause of unrest. To those who for one reason or another desired to foment ill-feeling, the 'slavery' section was a trump card invariably used. It is not surprising, therefore, that in 1917, after the strike caused partly by the abolition of the Trade Card Scheme, and partly by the attempt to introduce dilution on private work, every one of the Commissions on industrial unrest reported that leaving certificates were one of the principal causes of uneasiness. The Commissions were not unanimous in recommending the abolition of the section, though all suggested amendments either in administration or principle. The Government, however, came to the conclusion that the section had done its work, and that the irritation caused by its continued existence more than outweighed the risk of its abolition. The employers, when abolition was mooted, strenuously opposed it. They were willing to agree to a reduction of the period of unemployment from six to four or even to three weeks. But they were strongly of opinion that the total abolition of the section would lead to a landslide. With the wages market in its disturbed condition there would be a rush from district to district and from firm to firm. The employers did not hesitate to say that the only effective provision in the whole munitions code was provided by the leaving certificate, and that its abolition would leave the code a clumsy engine for oppressing the employer with no compensating advantage. The workers' leaders, on the other hand, were convinced that workers would not become restless if the section were repealed. It was not, they argued, that workers wished to move: they wished to be able to move, which was

quite a different thing. Any loss, which was occasioned by a partial migration, would be more than made up by the greater output due to the contentment caused by the removal of a most vexatious restriction.

The Government decided to abolish the section, and it was repealed by section 2 of the Amendment Act, which received the Royal Assent on the 21st August 1917. The section laid it down that 'The Minister of Munitions, on being satisfied that the provisions of section 7 of the Munitions of War Act, 1915, as amended by any subsequent enactment can consistently with the national interests be repealed may by order repeal these provisions', and then followed provisions making it unlawful for employers on private work to give employment to workers who had been engaged on munitions. In this case the 'may' of the statute was clearly the 'must' of ordinary life, and the necessary Order¹ repealing section 7 followed shortly after the passing of the Amendment Act.

No such landslide as was predicted by the employers followed, and for the moment it seemed that the view of the Labour leaders had been thoroughly justified. But very shortly it began to appear that the removal of section 7 had in fact removed one of the main pillars of the whole structure of the munitions code. The effects showed themselves in a loss of authority by employers throughout the whole of their business, but above all in wages. The normal weapon in the hands of the employer is economic. This weapon he no longer possessed. There were two jobs available at high wages for every skilled man, and dismissal, therefore, was a terror only to the employer. The power or the willingness to dismiss had been taken from the employer by the recruiting officer. Section 7 had taken its place. Within the shelter afforded by that section the employer had pressed forward the unpopular policy of dilution, had proceeded against the workman for discipline before the munitions tribunal, and had above all observed the provisions of section 4 (2) of the Munitions of War Act, 1915, which forbade alteration of wages without the consent of the Minister of Munitions. But with the withdrawal of the section he began to find that all these things were becoming

¹ See Appendix 14.

increasingly difficult. To press forward dilution might lead to the loss of valuable workmen, proceedings before a tribunal might lose a man who, though not first-class, was still useful, and a rigid maintenance of the wages at their prescribed figure might and did lead to the loss of the best workmen of all.

There was no landslide, because the employers were compelled by stress of circumstances to give way. It is not to be supposed that the workmen did not continue to give admirable service or turn out first-class work. The 11th November 1918 is sufficient proof of that. But there is no doubt that when section 7 was once removed the difficulties of the employer in handling his men were increased, and that the wages situation rapidly reached a point when it is almost true to say that control was non-existent. This point will be dealt with in the following chapter, but it may be said here that many hold the view that it was the $12\frac{1}{2}$ per cent. war bonus¹ that threw wages into confusion at the end of the War. The $12\frac{1}{2}$ per cent. no doubt had its unfortunate repercussions, but something can be urged in its defence. This is certain, that its worst features were intensified by the abolition of section 7, and in a wages market steadied by the section it may be that the bonus might by no means have had the results which attended it.

This result of the abolition was suspected by nobody, but when it was appreciated it was too late to remedy it. During 1918, however, there was a development in what came to be known as the 'embargo' system, which, though it was not consciously intended to take the place of the leaving certificate, might, if it had been successful, have done so. The history of the circumstances which led to the adoption of this system is given with great clarity by the Committee set up under the chairmanship of Mr. Justice McCordie to inquire into the strike which resulted from the application of the scheme to certain firms at Coventry, notably that of Messrs. Hotchkiss, where the strike originated. The Committee point out that in March 1918 the unsatisfied demands for munitions labour had reached 83,000, in June 1918 to over 97,000, and on the 19th of July to over 100,000. The Committee indicate the various efforts that had been made during the War to remedy the perennial shortage, efforts which

¹ See following chapter.

have been described in detail in this volume. They allude to the War Munitions Volunteer Scheme, the Army Reserve Munition Workers Scheme, and the scheme for release from the Colours. They refer to dilution, and say of it with force that

Dilution has become more difficult as it has extended to the more highly skilled operations. During the last twelve months there has been a great change in the nature of the more important types of munitions. Thus, while further dilution has become more difficult and recently the fund of skilled labour has rapidly grown smaller, there has been an enormous demand for the output of complex munitions, which do not permit of the use of semi-skilled or unskilled labour to a degree in any way approaching its possible use for the munitions output of two years ago.

The Committee recite all these circumstances as having compelled the Government to adopt new measures, but they nowhere refer to section 7 as a contributing factor to the difficulties in which the Government found themselves. But, though they do not mention section 7 in terms, they say in paragraph 22 of their report : 'It had become apparent that, in the absence of some restriction on the freedom of certain establishments to engage skilled labour, workmen might move from firms by whom their services were urgently required for munitions work of a vital and urgent nature to firms where the need for skilled labour was less urgent. The general conditions of labour in some establishments may be more satisfactory than in others. The wages, moreover, for various reasons may yield a higher average.' And they drive this point home in the following paragraph, when they say : 'Hence the Government came to the conclusion that the public interests required some restriction in the powers of individual employers to engage skilled labour without regard to the requirements of other firms engaged on munitions work which, in some cases, might be of a more urgent character.' In other words, though they do not say so, and perhaps did not appreciate that this was the inevitable inference, they came to the conclusion that some substitute for section 7 was required, and that the Government was right in attempting to discover it. The Committee, by inference, met the Labour objection that any such a scheme would be an attempt to reintroduce section 7 by a side-wind by saying : 'We fully recognize that these restrictions on

the employers necessarily diminish the freedom of skilled labour by preventing the acceptance of employment at embargoed firms until a licence is given to the employer by the Ministry of Munitions. . . . The action of the Government was not due to any desire on their part to affect the position of skilled men, but sprang from the necessity of precluding employers from engaging skilled men to the detriment of general national needs. The limitation on the right of skilled labour to dispose of its services in the best market was the unavoidable result, not the object of the Government's action.' 'The Committee', they conclude, 'are satisfied, after careful inquiry, that the Government were justified in their conclusion as to the necessity of the embargo scheme.' It is difficult to quarrel with the Committee's reasoning, but it may be observed that the whole of it might have been applied with equal force to the necessity of maintaining section 7 in operation.

However that may be, and if it is admitted that the scheme was not intended as a general substitute for section 7, but merely to meet certain special cases, it is clear that it has a close connexion with that section, and is properly dealt with in this chapter. The scheme was based on that Regulation 8a of the Defence of the Realm Regulations which has been dealt with earlier in this chapter, and particularly of the words in 8a (b), to which particular attention has already been called, namely the power 'to regulate or restrict the carrying on of any work in any factory, workshop, or other premises, or the engagement or employment of any workman, or all or any classes of workmen therein'. This regulation was as old as 1915, and, as has been indicated, had in the early days completely failed of its object. But in 1918 the Government reconsidered its possibilities. Acute difficulty was being caused by firms outbidding one another in the wages which they were offering. Section 4 (2) of the Munitions of War Act, 1915, was quite insufficient to cope with a situation in which firms were rushing up wages as much as 6d. an hour in a month in order to attract from their competitors urgently needed types of labour. The evil, though widespread, was particularly noticeable in respect of such workmen as sheet metal workers and tool-room hands, and particularly in the case of firms engaged on the manufacture of aeroplane engines. Production was being

seriously hampered in these firms by continual changes of personnel backwards and forwards, and in these circumstances recourse was had to the regulation which had lain dormant for three years.

The first impetus was given to the new scheme by an agreement, reached under the aegis of the Ministry of Munitions, between the employers and employed in the London sheet metal trade, which voluntarily restricted the amount of sheet metal labour to be engaged by each firm in the district engaged in the trade. It should, however, be stated that the scheme was made attractive to labour because it embodied a standardization of wages in the district, which, so far as certain firms were concerned, represented an advance. In view of the success of this scheme (or rather the partial success, because one of the principal firms in the London area almost immediately flagrantly broke away) it was decided to attempt a scheme of restricting the amount of skilled labour that certain firms might engage by virtue of Regulation 8 a. It was always intended that the scheme would operate primarily as a scheme for dealing with the wages difficulties which the abolition of section 7 had provoked. It was even hoped that it might go some way to affording a new general method of war control wages. This hope was not realized. The scheme was initiated with the greatest caution : the most careful reports were received, and when the Department were satisfied that the case was established a letter was written to the firms concerned, which contained the following directions :

1. On and after the receipt hereof you shall not engage for employment in your establishment, without the licence of the Minister, any skilled man of any of the types set out in the schedule at the back hereof.

2. If you desire to obtain a licence for the engagement or employment of any skilled man or men, of any of the types specified in the schedule, you should apply in writing to the Chief Dilution Officer for such licence, and should give full particulars of the work for which the man or men is or are needed, and such other information as the Ministry may require.

3. The expression 'skilled men' in Clauses 1 and 2 includes any skilled man of any of the types specified in the schedule at the back hereof who receives the full district rate for the work on which he is employed.

In every case the schedule on the back contained the words 'All skilled labour', and the letter was issued only to 100 firms out of the 32,000 known to be engaged upon munitions work.

But the scheme was received with deep suspicion. It was popularly known as the 'Embargoes' Scheme, and led to the last serious strike of the War—that at Coventry—which, as already stated, began at the works of Messrs. Hotchkiss. The strike killed the scheme, and it may be said that the last attempt to check the liberty of movement died when certain workmen ceased work at Coventry on the 23rd July 1918. But with the scheme more than the policy contained in section 7 foundered. The last hope of solving the wages problem of the country had disappeared.

CHAPTER XIII

WAGES. I. MEN

HITHERTO in this volume an attempt has been made to indicate the chief aspects of Labour Supply and Regulation in some ordered sequence, showing how events or human agency imposed some unity on what at first sight must appear a disordered and inchoate mass. But to display, or rather to invent, such a unity in the description of wages would be deliberately to falsify the whole account. There was no such unity, either of purpose or in fact, in the handling of the wages problem ; but on the contrary a swirling mass of tendencies, now crossing, now swinging apart, equally impossible to disentangle or to reconcile. Of this state of affairs there were two principal causes. The first was the nature of the problem as it presented itself from the outset. Wages were as various in amount, in method of fixing, in the areas to which they applied, as it is possible to conceive. A dozen wholly different tendencies were manifesting themselves at the outbreak of the War, each producing conflicting and unconnected results. There was the growth of collective bargaining, on a national basis, in such trades as the steel and the coal trades ; but though these trades agreed in adopting a national basis, the methods of fixing rates were wholly different. The coal trade fixed their rates, subject to the minima fixed by the Coal Mines (Minimum Wage) Act, 1912, upon the weekly output, the steel trade on a sliding scale based on the selling price of the product. To these should be added the textile trades—cotton and wool—whose rates could be described as national, because the bulk of the trade in each case was strictly localized. The shipbuilding and engineering trades had also developed collective bargaining to a high point, but in their case the basis of agreement was commonly by district, and in the case of the engineering trade, with surprising variations from district to district, from a minimum of 24s. a week for a skilled turner in Cornwall to a maximum of 46s. for the same class of

man in London. Again there was no uniformity between districts in these trades as to the method by which earnings were fixed. In the engineering trade piece work was permitted, but more than 80 per cent. were employed on time work. In the same way, in the shipbuilding trade piece work was the rule for boilermakers on the north-east coast, and absolutely forbidden at Liverpool. But even in respect of piece work, there was a broad difference between the two trades. In engineering there was a time-work minimum for the piece worker, below which his earnings could not fall. There was no such minimum in the shipbuilding trade, and its introduction was keenly contested by the Trade Unions. Again, in the general engineering trades, except to a limited extent on the north-east coast, women were not employed. But in the light engineering trade (if it can properly be so described) of the Birmingham area, they were commonly employed at rates varying from 6s. at 14, to 12s. for an adult at 21. This in itself established a wide difference between the various branches of the trade. There was, moreover, a further important difference between the shipbuilding and the engineering trades. In the former the number of Unions was limited, so far as craft work was concerned, to a comparatively small number : in the engineering trade an employer in a single establishment might well have to negotiate with as many as twenty Unions, by no means all of a common mind as to the object to be attained. Between these industries in which collective bargaining on an organized scale was firmly established, and the purely unorganized trades, came a large proportion of the general body of industry. There were, for example, the railway servants highly organized in the N.U.R. and the Locomotive Engineers' Association, and yet only establishing their claim to recognition by the railway companies with the greatest difficulty. There was the building trade, which had set up a fairly effective system of local conciliation boards, but in which the rates varied between district and district often on no intelligible principle. Moreover, the building trade presented certain special difficulties, because it entered into a number of other trades by reason of maintenance work. Builders, for example, employed in the engineering trade were paid different and lower rates from builders in the trade proper. Again, in so

far as carpenters and joiners came into the building trade, piece work was absolutely banned, while in some other grades it was tentatively admitted. Again, the growth of the aeroplane industry had provoked a struggle between the engineering and building trades as to which was to fix the rates. This struggle was unsettled at the outbreak of war, and led to incessant difficulty throughout the war period. There was then the volume of unorganized trades, the wages in which tended to depress wages in all trades. In some of these trades—notably tailoring, hollow ware, lace finishing, shirt making, and chain making—wages had been so low as to call for Government intervention, and the wages were regulated by Trade Boards under the Trade Boards Act, 1909. But the best that the Trade Boards could do for women was to fix rates from $2\frac{1}{2}d.$ to $3\frac{1}{2}d.$ an hour. Finally, at the bottom of the whole social structure were the casual labourers at the docks and the agricultural worker. The former were being rapidly organized, but the nature of their occupation made it a matter almost of impossibility to fix a satisfactory wage basis. The latter were very little organized, and wages of 14s. per week were paid to adult males in certain of the poorer districts.

Wages were, therefore, in a welter at the outbreak of war, though certain fixed points can be isolated. Collective bargaining was steadily on the increase, and more and more the Trade Unions¹ were tending to establish a standard rate. Again, generally speaking, rates in London were higher than in the rest of the country, and apart from London, the north paid higher rates than the south, the south-eastern and south-western counties being generally at the bottom of the scale. Trades in which systems of payment by results were permitted tended to isolate themselves, and ‘sweating’ was being attacked by the Trade Boards Act, and some effort to deal with the dock labourer was being made in such schemes as that initiated by the Board of Trade at Liverpool for establishing a pool of labour limited in number. But in spite of these general tendencies, it was impossible to seize on any central movement and working through that to impose even the shadow of cohesion upon the whole mass. That is the

¹ The Trade Unions had increased in membership from 2,446,000 in 1910 to 3,987,000 in 1913. This latter figure was nearly doubled during the War.

first reason why wages cannot be treated as connected sequence dominated by a single impulse.

The second cause flowed naturally from the first. The Government, recognizing the intolerable complexity of the problem, were determined to leave it to be settled between themselves by employers and employed. In other directions, such as release from the Colours, War Munitions Volunteers, reinforcement, dilution, the Government deliberately formed and carried through a policy. In the matter of wages, reluctantly they were driven by events to enter upon the vexed territory step by step, never able or desiring to form a general policy, because they were convinced that a general policy was not possible.

In these circumstances all that can be done is very briefly to describe the steps by which events drove the Government remorselessly deeper and deeper into a problem, the attempted solution of which they would gladly have avoided. Such an account will necessarily be incoherent, since that is the nature of the subject, and it will necessarily be incomplete because the only way to deal adequately with such a subject is to give an overwhelming mass of detail, for which, in the present volume, there is not space. As the description must necessarily be arbitrary, it is proposed to take the various powers, direct or indirect, assumed by the Government, and to indicate the main points of principle connected with each, and further, for the sake of convenience, it is proposed to treat men and women's wages separately, although in fact they touched at a hundred points.

A. FAIR WAGES CLAUSE AND CONTRACTS

The Fair Wages Clause and the power exercised by Government through the giving out of contracts may properly be taken first, because, apart from its powers under the Trade Boards Acts, it was the only power that the Government possessed at the outbreak of war. The Fair Wages Clause in Government contracts was based on a resolution passed by the House of Commons on the 20th March 1909, and ran as follows :

The contractor shall, in the execution of this contract, observe and fulfil the obligations upon contractors, specified in the resolution passed by the House of Commons on the 20th March 1909, pay rates of wages

and observe hours of labour not less favourable than those commonly recognized by employers and trade societies (or, in the absence of such recognized wages and hours, those in practice prevailing among good employers) in the trade in the district where the work is carried out. Where there are no such wages and hours recognized or prevailing in the district, those recognized or prevailing in the nearest district in which the general industrial circumstances are similar shall be adopted.

Before the War, as Government contracts, though considerable, were of very little importance as compared with the whole volume of industry, the clause was not in itself important, but perhaps derived its chief importance indirectly by setting a standard and by indicating what was the public conscience in the matter of wages. But as the War drew on, Government contracts began to cover a very wide field of industry, and the clause might reasonably have been expected to have exercised a far-reaching influence. It had, it is true, a very considerable influence, but not in the direction one might have anticipated.

During the first year of the War, before the Government had taken statutory powers to intervene with respect to wages, a general effort was made by employers and employed alike to stereotype wages in industry generally. The industrial truce (to which reference is made in the chapter on trade disputes) proceeded on the assumption that wages should not form the subject of acute controversy during the War. Underlying this assumption, no doubt, was the belief that the War would be of short duration, and that in consequence no fundamental changes in the wage situation need be expected, such as would require a reconsideration of wages on a broad basis. As a result, for the first six months of the War wages tended either to remain static, or actually in certain cases to go back. With 1915 the increase in the cost of living began to operate, and sporadic advances began to be granted of different amounts and upon different bases in different trades and in different parts of the country. But for the most part these advances were intended to keep the pre-war standard unchanged, and took the form of war bonuses over and above that standard. The bonuses were of all types: the same for skilled and unskilled, more for skilled than unskilled, more for unskilled than skilled, the same for time workers and piece workers, flat rates for time workers and percentage rates for

piece workers, but in all cases tending to vary from district to district.

But side by side with this general movement there was in progress another movement which was causing the Government acute disquiet. One of the reasons why during the first year of the War wages were comparatively steady was that Government contracts were severely limited to the great armament centres. While Sheffield, Glasgow, Newcastle, and Barrow were at their wits' end how to cope with their orders, in other parts of the country engineering employers were compelled to take unremunerative private contracts, on which comparatively low wages only could be paid, in order to keep their works going. This meant that the operation of Government contracts and of the Fair Wages Clause was restricted to a few centres, in which they had no effect. For in these centres the grave difficulty facing the Government was the rapid and even reckless alteration of wages from month to month and even from week to week. The armament firms, starved of men, had begun to bid against one another both on time rates and piece rates, with the result that a confused movement of men from one firm to another and from one district to another had set in.

At this stage, therefore, what was needed was not a clause requiring that wages should not go below a certain point, but that wages should not go above it, and it was in fact this development which compelled the Government to take its first hesitating step in wage regulation by enacting section 4 (2) of the Munitions of War Act, 1915.¹ But the Fair Wages Clause, which had been inoperative in the first year of the War, came to its own as the field over which Government contracts were spread rapidly and vastly increased. As time went on there were very few industries which were not either dominated or affected by Government contracts. It was then that the Fair Wages Clause came into prominence, but not, as stated above, quite as might have been anticipated. Speaking generally, throughout the War the difficulty with Government contractors was not that they paid too low wages, but too high, in the sense that they disturbed the pre-existing relations between craft and craft, skilled and unskilled.

¹ See below.

Where the wages paid were low, the Fair Wages Clause could do nothing, because the only remedy—that of striking the offending contractor off the list—could not be adopted when his product was urgently required. But in several directions the clause had considerable effects. In the first place many of the collective agreements reached during the War, and even the awards of the Committee on Production, were limited to a group—often a majority group—of the employers in the trade. The unfederated employers were not bound by the agreements, but if they were in the minority in any district and were, as they often were, engaged on Government contracts, the Fair Wages Clause applied to them. Thus the clause operated to establish uniform district rates. It was in fact the experience gained in the administration of this clause that led to the Government's taking power in section 5 of the Munitions of War Act, 1917, to extend statutory awards compulsorily in cases where the Minister of Munitions was satisfied that the award covered the majority of employers in the trade. In the second place attempts were made (though not often successfully) by Trade Unions to use the clause to establish a standard rate for a new trade. Thus the aircraft woodworkers, in pursuance of their declared intention of creating a new trade distinct from building and engineering, sought to impose on the new trade the highest rate paid to any workers in it in their previous occupation by virtue of the Fair Wages Clause. Though this claim was not conceded in full, a Joint Committee, appointed under the chairmanship of Sir William Robinson in August 1917, reported in favour of recognizing the industry as standing on its own bottom, and recommended a standard rate, which, though not equivalent to the highest previously paid, was nearer to that than to the lowest. To this result the claims made under the Fair Wages Clause had to a certain extent contributed. Finally, the effect of the wages paid by the great army of Government contractors to women under the various wages orders was to set a standard which inevitably had repercussive effects on workers employed on private work. The Trade Unions urged several times that the Fair Wages Clause should be compulsorily applied to such work. This suggestion was never adopted, but in fact events imposed the clause on employers engaged on private

work, wherever their workers were of a class that could be absorbed on munitions work.

B. PART I OF THE MUNITIONS OF WAR ACT, 1915, AND THE COMMITTEE ON PRODUCTION

An account has already been given of the provisions of Part I of the Munitions of War Act, 1915, in the chapters dealing with that Act and with trade disputes, and in the same way an account of the origin of the Committee on Production as an instrument for increasing production and its rapid change into an arbitration authority has been given in the chapter dealing with dilution and the Treasury Agreement. It is accordingly not necessary to say more here than that Part I of the Munitions of War Act made strikes and lock-outs illegal on munitions work, and established compulsory arbitration for differences arising upon it. With regard to the Committee on Production it is sufficient to repeat that it was established on the 21st February 1915 to inquire into and report on questions connected with production in engineering and shipbuilding work, and consisted of Sir George (now Lord) Askwith (Chairman), Sir Francis Hopwood (now Lord Southborough), Sir George Gibb, and Mr. H. J. Wilson (Secretary). This Committee acted as a voluntary arbitration authority till the passing of the first Munitions Act, when it became the principal statutory arbitration authority.

During the first few months of its existence as a voluntary body, the position of the Committee was comparatively unembarrassed. It had no rivals in the field, the acceptance of its awards depended upon agreement, and the atmosphere in which it was working, though already clouded, was, as compared with the quality which it later assumed, clear. During this period it issued 39 awards, all of a district character, and all accepted by the parties. But even at this stage the Committee laid down the principle from which it never departed, and which was the only principle that emerged in dealing with wages, that advances should be strictly war advances, and that the pre-war basis should be rigidly maintained. In a few cases they were driven to give awards either rectifying local discrepancies which had existed before the War, or solving vexed questions of holidays and demar-

cation. But these were side-issues. On the broad line they adhered, without faltering, throughout the War to this plain and well-marked principle.

Partly as a result of this, and partly by virtue of the general respect and confidence elicited by the quality of the men composing it, the Committee by August 1915 had won for itself a central position in handling wages so far as these were handled by Government. But by the nature of their constitution they handled only a small fringe of the problem. They were a judicial and not an executive body. In consequence, as judges, they had to wait for cases to be brought to them, and would not themselves control, except by the nature of their awards, the general situation. If employers and employed liked to make agreements without resort to the Committee in the days before the Munitions of War Act, 1915, there was nothing to prevent them. After the Act they were only summoned into the arena when a difference existed or was apprehended. Consequently the confused march of wages proceeded past and round them, and the Committee could only attempt to order the ranks when definite application was made to them. In fact, during the War they issued over 8,000 awards, and thus created, on the basis of the principle already enunciated, a considerable nucleus of stability which had its effect generally over the country. For it was common knowledge that the awards of the Committee were widely followed in trades allied to or impinging on those to which the awards directly applied. But none the less the Committee had no complete control, and over large areas, such as the mining industry, whether in coal, ferrous or non-ferrous, in the traffic grades of the railways, over the general range of women's work, they had no authority.

Beside this executive authority for wages grew up a multitude of authorities of which the Ministry of Munitions was easily first, but which included the Shipyard Labour Department of the Admiralty—an important and key Department—the Department of the Coal Controller, the Railway Department of the Board of Trade, the Joint Maritime Board for the shipping industry—all with policies of their own, and all relying to a limited extent for guidance on the Committee on Production, but all constantly presenting it with insoluble problems. The Ministry of Munitions,

for example, was responsible for all wages movements in controlled establishments. As a great number of these establishments were engaged in the engineering trade, which ultimately went at regular intervals to the Committee for awards, it will be seen that there was of necessity some conflict of jurisdiction. How this operated will be shown below. It is cited here only to show by one example how events imposed on the Government a series of executive measures, designed to meet some of the wages difficulties that arose, which, because of the fundamentally intractable nature of the problem in its then state of development, could not be adequately or even substantially co-ordinated.

The general work of the Committee on Production falls into three well-marked periods—the period from February 1915 to September 1915, when awards were on a sectional and district basis; the period between September 1915 and the spring of 1916, when an attempt was made to steady wages by refusing advances; and the period from spring 1916, when a series of advances led up to the national basis finally adopted in April 1917. Throughout, as indicated above, the awards were on a cost-of-living basis, and were strictly defined as war bonuses, leaving the pre-war basis as far as possible intact. Obviously to this general practice there were exceptions. District awards continued to be given after 1917, and throughout in special cases the Committee could not avoid giving awards which did in fact disturb the pre-war basis. But broadly the Committee's work can be so divided, and it should be added that the Committee dealt principally with the shipbuilding, the engineering, the foundry, the iron and steel, wood-working, chemical trades, and the munitions trades generally. But, as has been indicated above, their awards affected indirectly a far wider field than that covered by the trades to which they applied.

The cycles of advances may be summarized as follows :

	<i>Approximate dates covered</i>	<i>Kind of advance</i>
1st cycle	Feb. 1915–Sept. 1915	4s. on time rates. 10 per cent. on piece rates.
2nd ,,	May 1916–Nov. 1916	3s. on time rates only.
3rd ,,	April 1917 (National Agreement)	5s. to time and piece workers.
4th ,,	Aug. 1917 " "	3s. " " " "
5th ,,	Dec. 1917 " "	5s. " " " "
6th ,,	24th June 1918 " "	3s. 6d. " " " "
7th ,,	9th Nov. 1919 " "	5s. " " " "

It will be observed that at the end of 1918 time workers in these trades had received a total war bonus of 28s. 6d.¹ It will be further observed that, from the date of the first award under the National Agreement, uniform advances were given to time and piece workers, and further that the advances throughout did not distinguish between skilled and semi-skilled men, but applied equally to both, thus automatically altering the pre-war rates between the two classes, and thus helping to contribute to what was known as the skilled man's grievance.²

In the first period the advances were spasmodic and by districts, and in the majority of cases the result of agreements and not imposed by awards of the Committee. But this very character of the advances led to unrest and constant friction. Artificial distinctions were created between firms and between districts. Men were uneasy at their work and tended to migrate to where the wages were higher. But by one means or another, though at the cost of much ill-feeling, by the autumn of 1915 the main munitions trades (always leaving women out of consideration) had obtained a 4s. advance.

At this point the attempt of the Government and of employers to steady the cost of living by resisting wages advances begins to appear. In the autumn of 1915 the Government, alarmed by the need for national economy, communicated to the Committee on Production their view that for the time wages advances should be limited to adjusting local differences. That the Government had taken this action was known to Labour, and indeed no attempt was made to conceal it. But it was hotly criticized. The Trade Unions pointed out in the spring of 1916 that the Committee on Production were (as in fact they were) refusing to give advances. In doing this they were having regard (it was urged) not to industrial conditions, with which alone they should concern themselves, but to directions from the Government. They were, therefore, no longer an arbitration tribunal in the true sense, and it was intolerable that Labour, which had abandoned the right to strike

¹ It throws a very high light on the inequalities that arose during the War if it is remembered that the war advance of the engineer was very nearly equal to the whole wage of the cotton worker, who, as being furthest from munitions production, was least able to obtain war advances.

² See below.

and accepted compulsory arbitration in its stead, should find that compulsory arbitration was compulsory decision against their legitimate claims.

These were difficult arguments to meet, particularly when reinforced during 1916 by a rapid increase in the cost of living. No formal announcement of change in policy was made, but the announcement was rendered unnecessary when the Committee in the summer awarded 3s. to time workers. These awards were still sporadic in character, and a feeling was growing up both among employers and employed during the autumn of 1916 that the time had come for national advances. At the beginning of 1917 the Chief Industrial Commissioner (Sir George Askwith) suggested a national basis to the engineering employers and the Unions concerned. Conferences under his chairmanship in January and February led to the following agreement being signed :

MEMORANDUM OF AGREEMENT BETWEEN THE ENGINEERING EMPLOYERS' FEDERATION AND THE UNIONS CONNECTED WITH THE ENGINEERING AND FOUNDRY TRADES, ARRIVED AT IN FEBRUARY 1917.

It is agreed, having regard to the special circumstances of the War, the following shall be the principles upon which wages changes shall be arranged for the period of the War :

1. That existing agreements or practice under which application for general alterations in wages are dealt with shall to that extent be suspended until the termination of the War or for such further period as may be agreed upon by the parties thereto. This shall not refer to agreements or practice whereby the wages of any trades in any district or department rise or fall with fluctuations in another district or industry not covered by this Agreement.

Nor shall it prevent the Unions bringing forward for special consideration at the hearings referred to in paragraph 2 (a) the case of any district in which they claim that the rates of wages are unduly low or that the total amount of the war advance is not adequate.

On the other hand the Federation shall be entitled to bring forward for similar consideration any special cases they desire.

2. During such period of suspension the following procedure shall be observed, provided the consent of the Committee on Production is obtained :

- (a) The Committee on Production shall in the months of February, June, and October, after hearing parties, consider what general alteration in wages, if any, is warranted by the abnormal conditions then existing and due to the War.

- (b) The award of the Committee on Production shall be an award under the Munitions of War Acts, and shall be of national application to all federated firms in the branch of trade concerned.
- (c) The first award shall take effect in all districts on the first full pay day in April, and the altered rate shall continue until amended by further award in accordance with the provisions hereof. Subsequent awards shall specify the date upon which the alteration awarded shall take effect.

This was a considerable step forward, and indeed may fairly be described as the one really considerable contribution during the War to bringing order into the wages chaos. The first national award was made in accordance with the agreement in April 1917, and the awards followed regularly on this basis, as set out in the table above, of cycles of advances. Nor was this all. During 1917 and 1918 agreements on the same lines were reached by the following associations of employers and employed : The Mersey Ship Repairers' Association and the Employers' Association of the Port of Liverpool on the one hand, and the Federation of Engineering and Shipbuilding Trades (Mersey District Committee) and the Liverpool District Joint Committee of Engineering Societies on the other ; the National Association of Master Heating and Domestic Engineers and the National Union of Operative Heating and Domestic Engineers ; the Chemical Employers' Federation and the National Federation of General Workers and the Joint Committee of Salt and Chemical Workers ; the Soap and Candle Trades Employers' Federation and the National Federation of General Workers and Joint Committee of Salt and Chemical Workers ; the Wages Committee of Explosives Manufacturers and the National Federation of General Workers ; the Dry and Fine Chemical Manufacturers' Association and the National Warehouse and General Workers' Union and others ; Scottish Building Trades (Employer) Wages Board and Building Trades of Scotland Standing Committee ; Employers' and Operatives' Associations and Federations in the Building Trades of England and Wales.

In addition, certain other trades, e. g. shipbuilding, Scottish iron and steel trades, dockers (Great Britain), carters (Great Britain), clay industry, and railway shopmen adopted the prin-

ciple of a four-monthly revision of wages by the Committee on Production without adhering to the other clauses of the agreement of February 1917. This was a very substantial central body of agreement, which inevitably affected wages in all other trades during the War.

It only remains now to indicate how the awards of the Committee on Production were put into effect, and how as a result of the methods adopted and of the Fair Wages Clause the Government found themselves compelled to introduce section 5 of the Munitions of War Act, 1917. It will be seen from the lists of trades given above that arbitrations on a broad basis were between national Unions and federated bodies of employers. It has already been stated that these awards did not apply, in fact, to the non-federated firms. But this was only one element of difficulty in the application of the awards. There was another even more considerable. The Committee on Production did not and could not define with exactitude the firms, and even the classes of the workpeople within the firms, covered by the awards. Broad national applications were made to them, and they left the working out of the award in detail to be settled between the parties. But every award—even one covering a small area—leaves behind it inevitably a trail of consequential and unsolved questions. In the case of a national award the sequelae were many and difficult. At first sight it might seem that matters such as the scope of the award or the classes which it affected would be taken by the Employers' Associations and the Unions in their stride. They knew their trade and how they expected the award to apply. In these circumstances application should be almost automatic. Nothing, however, could be farther from the truth. In every trade on both sides there were traditional controversies as to what was comprised in the trade and what was left out. The controversies raged not only between employers and employed, but between one group of employers and another, and one Trade Union and another. The controversy might affect the position of a firm or a group of firms, or of occupations within these firms and within the main group to which the award applied. Associations of workpeople and employers were not formed on scientific lines, but grew together gradually, accretions coming now from

one cause, now from another. Consequently on both sides there were doubtful fringes at the edge of the associations—firms in that should be out, and vice versa. When, therefore, the awards came to be applied, a hundred difficult questions remained for solution in administration. How overwhelmingly difficult these questions could become when both sides were deliberately confusing the application was shown with electric effect when the 12½ per cent. bonus Order was made by the Ministry of Munitions.

The Committee on Production had no machinery to deal with either of these difficulties—the extension of the award and its precise definition. Nor was it primarily their business. The matter was one of administration to be handled by the Administrative Department, and the Administrative Department was naturally the Labour Department of the Ministry of Munitions. To take the second of the two problems first, the Ministry of Munitions were constantly in negotiation with Unions and employers on questions of application. Each case could, of course, have been settled by formal reference to arbitration, but it was far simpler to make *ad hoc* decisions which were generally accepted as reasonably appropriate. The volume of work which fell on the Department as a result of every munitions award was considerable. Engineers working in steel mills, for example, would claim to be covered by engineering awards, if these were more favourable than the steel rates ; builders in engineering shops would claim to be covered by builders' rates as being higher ; plumbers would claim to be covered by an award affecting coppersmiths, and coppersmiths might claim the rates of sheet-metal workers ; carters would claim to be affected by awards affecting dockers, and dockers by awards affecting railwaymen. These are a few examples chosen at random from the thousands of cases that clamoured for instant solution. And in nearly every case at the back of the claim was a long and vexed history of controversy which the Department were forced to decide as best they could to avoid the possibility of a stoppage of work. They had the advice of expert engineers, and on the whole perhaps the decisions given were not liable to serious criticism. But all the time the Department knew that their decisions were being eagerly watched

to form precedents for new claims which might have the most unexpected repercussions.

The first of the two difficulties was less than the second. As has been stated above, in administering the Fair Wages Clause a considerable advance had already been made in imposing on non-federated firms, which were in the minority in any district, awards made in respect of the federated majority. It might have been urged that it was harsh to impose an award upon firms that were not parties to it; but in war time the elimination, as far as possible, of grievances caused by obvious disparity of rates was essential. It was therefore with the full consent of organized employers and employed that the final step in this direction was taken by enacting section 5 of the Munitions of War Act, 1917, which read as follows :

When an award as to a change in the rate of wages payable to persons engaged on or in connexion with munitions work, or as to hours of work or otherwise as to terms or conditions of, or affecting employment of, persons so engaged, has been made either under Part I of the Munitions of War Act, 1915, or in pursuance of an agreement between representatives of employers and employed, and the Minister of Munitions is satisfied that the award is binding upon employers employing the majority of the persons engaged on or in connexion with munitions work in any trade or branch of a trade either generally or in a particular district, the Minister of Munitions may by Order direct that the award shall be binding on all or any other employers and persons so engaged, either without modifications or subject in any particular cases to such modifications as the Minister may consider necessary.

This section was not free from difficulty in administration, but at any rate it gave the Minister of Munitions a definite power by which the awards given by the Committee on Production could be effectively and generally applied.

Nor was the Minister slow to use his new powers. Between the end of September and the end of December 1917, 30 Orders¹ extending awards were made, but in fact the statutory power merely clinched what had been steadily achieved by administration. Moreover, employers were the less likely to resent these Orders in view of the intimation from the Department that claims

¹ For typical extension award see Appendix 15.

for increased prices upon contracts directly due to compulsory wage advances would receive favourable consideration.

C. SECTION 4 (2) AND SECTION 7 OF THE MUNITIONS OF WAR ACT, 1915, SECTION 7 OF THE MUNITIONS OF WAR ACT, 1916, REGULATION 8 A OF THE DEFENCE OF THE REALM REGULATIONS, AND THE WAGES ADMINISTRATION OF THE MINISTRY OF MUNITIONS.

The preceding paragraphs have indicated three things—first, that the Government was drawn slowly and reluctantly into wage regulation; secondly, that as a result partly of this gradual entry and partly of the complex character of wages in the country, several authorities had grown or were growing up; and finally that the Ministry of Munitions had been forced into the position of the Central Executive Department for wages with all the burdens and difficulties which that position involved.

When the Ministry of Munitions therefore entered upon the scene, even if they had been given complete powers they would have found the situation bewildering, but they were not given complete powers. The first direct power was that contained in section 4 (2) of the Munitions of War Act, 1915, which provided that no alteration of wages could be made in a controlled establishment without the consent of the Minister of Munitions. How tiny an ‘arm’ that was against the sea of wage troubles is painfully easy to see. The power was, in the first place, limited to controlled establishments, which for some time after the passing of the Act did not number more than 100 of the considerable number of establishments even then engaged on munitions, and never more than 6,000 when the engineering firms alone of the many trades engaged on munitions numbered not less than 32,000. This meant, therefore, that apart from other provisions which might deter them, all the non-controlled firms could alter wages at their discretion, with the inevitable repercussion in the controlled firms. In fact, non-controlled firms, particularly in the wood-working trades, did not fail to cause grave embarrassment to controlled establishments and to the Ministry by their vagaries in fixing wages. In the second place, the power related only to changes in rates of wages. It did not deal with first rates, and

therefore new workmen could be taken on at higher rates than the rest, with the inevitable resultant demands for increases almost impossible to resist in the circumstances. In the third place, under the Act as originally drawn, Government establishments could not be controlled.¹ It might have been supposed that Woolwich Arsenal, Enfield Small Arms Factory, the Royal Torpedo Factory, Greenock, and the national factories would not have required statutory control in order to preserve wages at the general level. Such a supposition would, however, have been wrong. Government establishments were working under no less a strain than private munitions establishments, and were in just as urgent need of men. Moreover, while the older establishments, such as Woolwich and the Torpedo Factory, were accustomed to a considerable, if limited, measure of autonomy, the newer establishments were in the hands of active and able business men, apt to regard suggestions that wages should be kept to standard as unnecessary red-tape interference. In fact, so difficult was it found to control the wages paid in national establishments within reasonable limits that a special section had to be established in the Labour Department of the Ministry to deal with this matter alone. In the fourth place, at the inception of the Act the Ministry of Munitions were responsible for wages movements in all controlled establishments, whether working for the Army or the Admiralty. This had certain obvious advantages, but the disadvantages were such that ultimately a separate Labour Department of the Admiralty was set up at the beginning of 1917 under the direction of Sir Lynden Macassey. The special difficulty was that any directions as to wages given by the Ministry to an Admiralty firm led, if in the firm's view they would interfere with output, to an appeal to the Admiralty, who found it difficult not to support their own contractor. Or, again, it might happen that Admiralty policy dictated a sudden increase in a particular type of armament. It was difficult to explain to the First Sea Lord that he would not get his monitors, for example, any quicker by throwing the wages market into confusion by ordering the payment of high bonuses, when he had the expert assurance of the

¹ This omission was rectified by section 1 of the Munitions of War Act, 1916.

shipbuilder that such wages increases were the only method of obtaining increased production.

These were considerable difficulties, though they were perhaps in a measure not insuperable ; there were greater for which there was no remedy. The Ministry of Munitions came comparatively late into the field. In fact they were dragged into it, not of deliberate policy, but because wages had already become so confused that in self-protection the Government were forced to attempt to level out some of the anomalies that were springing up on all hands. Section 4 (2) was in fact a desperate effort to arrest ' poaching ' by preventing bribery. It was never designed to become a general instrument for wages regulation, but with wages it is like war. Once you start you can set no limits to the end of your journey. But, even as a modest attempt to arrest the inevitable, section 4 (2) was dogged by two further troubles. Nothing is more unpopular both with employers and employed than for a Government Department to refuse to sanction agreed advances of wages. But it was exactly to resist such agreed advances that section 4 (2) existed. In fact, the Department never considered an application except when it was agreed between the two sides, and when agreed the Ministry had grave difficulty in withholding sanction. Sanction was, in fact, withheld in flagrant cases, where an increase would clearly upset a district or threaten production in a rival firm, but often the Department were constrained to consent against their better judgement. Finally, there was the position of the Committee on Production. The Act laid it down that all differences on munitions work could be compulsorily settled by the Committee. If, therefore, the Ministry refused an advance in a given establishment, the employers or the workers could manufacture a difference and report it for decision to the Committee on Production. This rarely, if ever, happened in practice, because the Ministry of Munitions worked very closely with the Committee on Production. But what did, in fact, necessarily happen was that there were two wages authorities in controlled establishments. In practice the technical difficulty was surmounted by automatic consent of the Ministry of Munitions to all increases in wages consequent upon an award of the Committee. Similarly the Ministry gave auto-

matic consent to increases necessary to enable a firm to pay rates in accordance with the Fair Wages Clause. But all these things meant that the Ministry with one frail weapon were called upon to control wages which were in fact being controlled by a dozen sets of circumstances over which they were powerless.

In practice the Ministry aimed at using the section to preserve standard rates of wages, and in sanctioning advances they endeavoured to keep in line with the advances awarded by the Committee on Production. But often they were driven by the pressure of Supply Departments to agree to rates which the Committee, exempt by virtue of their judicial position from such pressure, would have resisted. Indeed, it is doubtful whether, without the potent assistance of section 7 of the Munitions of War Act, the powers under section 4 (2) would have been of much avail. It was section 7 which arrested the movement of the worker to higher paid work, and it was accordingly section 7 which, to a certain extent, discouraged the employer from offering high rates as inducements to workmen to leave their existing employment. The two sections together undoubtedly helped to steady wages ; but, as will be seen, there were great tracts of country which they did not cover, and further, when section 7 was repealed by the Act of 1917, section 4 (2) became almost inoperative.¹

¹ One aspect of the Ministry's duties under section 4 (2) has not been touched upon because, though important, it did not fall into the main stream of wages activities. This was the duty of sanctioning increases in wage and salary to persons not being 'workmen' within the meaning of the 1915 Act as amended or explained by section 12 of the 1916 Act. This work, which was performed by a separate section, involved the delicate and difficult business of adjudicating on the salaries paid to the directorate. For example, before Messrs. Armstrong and Messrs. Vickers could increase the salary bill of their directorate, they had to obtain the sanction of the Department. It may well be conceived that this power led to many acid conversations ; but, on the whole, it was skilfully administered so as to give the true impression that the sole object was to save the Exchequer and not to interfere with the natural liberty of management. A more difficult question arose in settling the wages to be paid to foremen. These men were perhaps the hardest worked in munitions during the War. Their hours were long. They had to supervise new-comers to their works of all degrees of inexperience and, few as the foremen were in number, it was difficult to give them holidays. On the top of all this they had the exasperation of seeing high piece-work earnings gained by inexperienced new-comers which often exceeded their own. In these circumstances, as all production depended upon them, it was necessary to treat them with fairness in the matter of wages. The section concerned evolved, in consultation with the Engineering Employers' Federation, a satisfactory working arrangement which was generally acceptable to foremen. Finally the section succeeded in obtaining *pro rata* increases

Having ventured on the policy contained in section 4 (2), events compelled the Government to take a long step further. In the chapter dealing with women's wages an account will be given of the circumstances which led to the Government's taking power to regulate by administrative Order—an unheard-of act—the wages of women employed upon munitions work. The same causes led to the enactment of section 7 of the Act of 1916, under which it was provided that :

'The Minister of Munitions shall have power by Order to give directions as to the rate of wages, hours of labour, or conditions of employment of semi-skilled and unskilled men employed in any controlled establishment on munitions work being work of a class which, prior to the War, was customarily undertaken by skilled labour, or as to the time rates for the manufacture of complete shell and fuses and cartridge cases in any controlled establishment in which such manufacture was not customary prior to the War...'

To put it briefly, this section together with the preceding section 6 (dealing with women's wages) were the price that the Government paid to obtain the assent of Labour to dilution in practice after its assent in principle had been secured by the Treasury Agreement. To understand the reason why Labour were insistent upon this power being taken, it is necessary to go back to paragraph 5 of the second schedule to the Munitions of War Act, 1915, which provides that 'The relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job'. The Trade Unions maintained that unless this were secured by detailed Orders, actually prescribing the wages to be paid, the paragraph would remain a pious aspiration. In the course of the protracted dilution negotiations, this matter, along with many others, was submitted to the Central Munitions Labour Supply Committee¹ for consideration. The Committee appointed a Sub-Committee, which drew up the following regulations, which were accepted by the Minister of Munitions and were embodied in a document known as L 3.

for clerks in the controlled establishments, who had not shared in the general wage advances.

¹ For the work of this Committee see chapter on Dilution and the Treasury Agreement.

*I. General*¹

1. Operations on which skilled men are at present employed, but which by reason of their character can be performed by semi-skilled or unskilled labour, may be done by such labour during the War.
2. Where semi-skilled or unskilled labour is employed on work customarily undertaken by skilled labour, the time rates and piece prices and premium bonus times shall be the same as customarily obtain for the operations when performed by skilled labour.
3. Where skilled men are at present employed they shall not be displaced by less skilled labour unless other skilled employment is offered to them.
4. Piece-work prices and premium bonus time allowances, after they have been established, shall not be altered unless the means or method of manufacture are changed.
5. Overtime, night shift, Sunday and holiday allowances shall be paid to such machinemen on the same basis as to skilled men.

II. Time Ratings for the Manufacture of complete Shells and Fuses and Cartridge Cases, where hitherto not customary

It is perhaps not necessary to quote these provisions at length. The main provisions were :

1. Permission to pay semi-skilled and unskilled men employed as machinemen 10s. a week less than the time rate for turners, with a minimum of 28s. per week.
2. The fixing of lower rates for men under 21 similarly employed.
3. A limitation of the length of the probationary period during which a man might be paid a rate of 26s. per week.
4. Rates for setters, 10s. or 5s. in excess of the turners' rate, according to the nature of the machine set up.

This document, after the passing of section 7 of the Act, was made statutory, and was administered by the Labour Department. In fact, though it was anticipated that it would lead to a great deal of difficulty, it was comparatively easy in administration. Most of the male dilutees tended to go on to semi-skilled work, and were, therefore, not covered by the Order at all. Moreover, as recruiting progressed, dilution became more and more a woman's question and less and less one affecting men. Nevertheless

¹ For text of Order see Appendix 16.

a number of difficult points arose requiring solution by the Department. Many cases were submitted in which it was claimed that semi-skilled and unskilled men were doing skilled work and not receiving the rate. It was in such cases always a matter of delicacy to decide whether the work was in fact skilled, and here again as so often the Ministry were called upon to pronounce judgement in matters which had excited almost traditional controversy. Other questions arose on the extra 10s. or 5s. payable to setters, and in one celebrated case at Messrs. Firth's of Sheffield, the question whether six toolsetters were entitled to the extra 5s. took some eight months before it was settled (against the men) by the Special Arbitration Tribunal set up under section 8 of the 1916 Act. On the whole, however, this particular provision, unlike many others, never impelled the Government farther than was originally intended.

Reference has already been made to the work imposed on the Ministry of Munitions in connexion with the interpretation and extension of the awards of the Committee on Production, and also to its duties in the administration of the Fair Wages Clause. Its duties and difficulties in respect of systems of payment by results, and the skilled men's grievance which was occasioned primarily by these systems, are dealt with below. Here, before passing to the final of the Ministry's wages activities after the abolition of section 7 of the Munitions of War Act, 1915, it will be necessary to touch on one or two arduous additional functions which the Department were called upon to perform in virtue not of statutory obligations, but of their position as the central authority for the production of munitions.

The first duty fell upon the Labour Department naturally as the labour adviser to the Contracting or Supply Departments of the Ministry. Reference has been made above to the fact that contractors were informed that additional expenditure involved by the payment of compulsory advances would be recouped. This inevitably produced a flood of claims, upon the justice of which the Supply Departments were not in a position to decide. Accordingly the Labour Department were called in to examine these innumerable claims and to advise whether they could properly be passed. It will be readily understood that this work involved

questions of the greatest complexity. For example, was a firm already paying in advance of the recognized rate entitled to recoupment in respect of the whole advance or only that part of it which brought the old rate up to the new district rate as fixed by the advance? Or again, was a consent to vary a rate under section 4 (2) of the Munitions of War Act, 1915, the imposition of a compulsory rate within the meaning of the clause in the contract? Or was a claim admissible from a non-federated firm which had been forced to pay wages by the pressure of its work-people, when an award had been made in respect of federated firms in the same district fixing higher rates than those paid by the non-federated firm? These questions could be multiplied many times, but it was not so much the difficulty of the questions as the huge volume of the work which made this task so heavy. And here it may be conveniently pointed out that the attempt to control wages through contracts was shown to be impracticable. If in fact it had been possible to tell contractors that any wages paid in excess of the district rate would be disallowed, no doubt the problem would have been solved. But contractors could not be so informed, because the Government were entirely dependent upon them for supplies. With their profits limited, working at intense pressure with labour largely diluted, this further imposition upon manufacturers of munitions might well have caused a revolt. Indeed, so far from contracts assisting in the control of wages, they added in some instances a new and grave element of confusion. In many contracts, the basis was what is known as 'time and line', i. e. a percentage of profit over the gross expenditure. Under this system every increase of wages meant an increase of profits. It did not tend to keep wages down.

The second extraneous duty was in connexion with the wages control of the iron-ore mines of Cumberland. It is perhaps unnecessary here to enter into the history which led up to the Ministry of Munitions taking over the iron-ore mines upon which the supply of high-speed steel to a large extent depended. The principal reason was the belief that the constant labour troubles in the mines would disappear when once the men realized that they were working direct for the State. The hope was not justified

by events. The mines were taken over under the Defence of the Realm Act with elaborate arrangements for safeguarding the position of the owners. In the week following the men went on strike. The men had two main objects—to make the minimum and what was known as the 'ascertainment' rate identical, and to elevate the lesser skilled men to the same wages position as that of those working at the face. The method of fixing rates in the mines was on a fortnightly bargain basis between the company concerned and a small group of miners consisting of anything from 4 up to 20 men. The rate was fixed on a tonnage basis, and was calculated to produce 11s. 4d. per shift (the 'ascertainment' rate), with a fall-back rate of 7s. 6d. These rates were only paid to the miners actually working on the face. The others received a flat rate independent of the amount of the output. Constant trouble arose in the mines on these two points. It was alleged by the men that rates were cut by the companies, and when Scottish miners were brought in from the Fifeshire coal-fields it was demanded that all Cumberland miners should be paid as if working at the face. The wages negotiations were difficult, leading to not infrequent stoppages, and an interesting feature of the matter was that the advances granted were not primarily designed to meet the cost of living, but to alter the pre-war basis. The Labour Department of the Ministry had almost continuous difficulties in these mines until a Joint Committee of owners and men was set up locally under the chairmanship of the ex-general manager of the Rand mines—Mr. Anderson. But it cannot be claimed that the subsequent peace was due to a solution of the wages problem—it was due to Mr. Anderson.

Two other duties may be briefly touched on as indicating the complexity and the difficulty of the Department's problems; these arose in connexion with wages for building labour and with the extension of what were known as the Coal Controller's awards. The building trade from the early days of the War had been in difficulties with its wages. Even in 1914 complaints began to flow in as to the disturbance of labour caused by the hutment contractors. The building trade was heavily drawn on for the Army, and even in December 1914 a serious shortage of skilled men had manifested itself. This was intensified during 1915

with the rapid increase of recruiting and the urgent and immense demand for labour made by the great programme for the construction of national factories. In October 1915 an inter-departmental Committee was appointed by the Minister of Munitions with a Ministry chairman, 'to consider and make recommendations with regard to the rates of wages and other questions arising in that connexion with regard to the supply of building labour for Government purposes'. In the first year of its operations the Committee, though it contained representatives of the Admiralty, the War Office Contracts Department, Explosives Supply, the national shell factories, the Office of Works, the Director of Factory Construction, the Director of Housing, and the Road Board, could do little more than throw up its hands and exclaim that rates were still being pushed up and about wildly, not only by outsiders, but by every Department that had a representative on the Committee. At the end of 1916, however, something like real power was placed in the hands of the Committee, though by that time a state of confusion had been created very difficult to overtake, and in fact it was not overtaken. Various steps were initiated by the Committee, as for example the making of a Defence of the Realm Regulation prohibiting the undertaking or completion of any private building of the value of £500 without licence. This, however, was ineffective, both in providing labour and in checking wages, because the bulk of the labour still remaining on private work was engaged in repairs generally in scattered units. In spite of these and other efforts by the Committee, building wages continued to rise irregularly, and a new impetus was given to this movement by the building of aircraft factories. Another attempt to solve the problem by the creation of a Joint Control Board of masters and men by the Ministry of National Service failed. Finally, in the spring of 1918 something like a solution of the problem was reached in a proposal of the Ministry of Labour. This proposal, which was put into effect, was that the National Conciliation Board of the industry should be resuscitated, that general wage applications should be submitted by this Board to the Committee on Production at intervals, questions affecting district conditions or customs should be formulated by the local Conciliation Boards, and no change

permitted without the concurrence of the National Board and the Ministry of Labour : the Ministry of Labour to consult contracting Departments, and if they disapproved to submit the case to the Committee on Production, and finally excessive rates to be checked by the Defence of the Realm Regulations. This scheme was adopted subject to the amendment of the Ministry of Munitions that the Minister of Labour should act on the advice of the Building Labour Committee. The new arrangement was by far the most successful, but it had arrived very late in the day.

The extension of the Coal Controller's award given on the 28th September 1917 illustrates still further the multifarious activities and difficulties of the Department. The award was made by the Coal Controller as responsible for the coal-mining industry, and gave the Miners' Federation a special war wage of 1s. 6d. a day for colliery workers of 16 and over, and 9d. a day for those under 16. This award immediately provoked a demand for its extension to the mines and work related to mining with which the Ministry of Munitions was concerned, viz. lead-mines, ironstone and limestone quarries, coke ovens, fire-clay and ganister mines. Nor did it stop here, for a previous award of the Controller to colliery winding enginemen was expected to produce demands in the shale oil mines. The Ministry proposed that the question at issue should be referred to the Committee on Production. This course was ruled out as being likely to produce strikes, and the Ministry proceeded to negotiate with the Miners' Federation. An agreement was reached, in consultation with the Ministry of Labour, which amounted to a 12s. award (the amount given by the Committee on Production to meet the increase in the cost of living), inclusive of all advances up to date. When this agreement came to be administered by the Labour Department it was found that among the groups of workers involved, conditions varied from firm to firm and from district to district in respect of the basis of wages, and that the ability to pay was not equal as between firms working for Government who could be compensated for the increased labour charges and those not so working who could not. This latter difficulty was so acute that in the case of the lead-mines the award was not paid until the Ministry had undertaken to reimburse the employers for the estimated

additional labour cost, viz. £150,000. Similarly the difficulties as between varying wage bases could only be settled when an agreement was reached with the Iron and Steel Confederation for the extension of the $12\frac{1}{2}$ per cent. award to the trade. By this the bonus and the Coal Controller's award were made alternative, and both were to merge in future in the sliding scale. This met the case of the coke-oven workers and the iron-stone miners and the workers in all other non-ferrous mines except tin. In respect of fire-clay, ganister, and limestone the award was extended to those parts of the industry working for Government. In June 1918 the Coal Controller made a further award of the same amount. In this case the previous experience gained made the matter easier to handle, but none the less it involved protracted negotiation and elaborate arrangements.

Over and above all this the Department had to face the new situation created by the repeal of section 7. It has been stated in the chapter dealing with the section that its repeal was almost the principal demand of the rank and file of labour, and that all the industrial Commissions of 1917 concurred in the view that it was an active cause of industrial unrest. Its repeal may, therefore, have averted serious trouble, but as a set-off against the trouble it avoided must be remembered the wages difficulties that it produced. By its abolition the power of bargaining had been restored at a moment when the labour shortage rendered the employer almost unable to resist. With all the other difficulties that were facing the Department—the $12\frac{1}{2}$ per cent. bonus, the extension of the Coal Controller's award, the difficulties of the settlement in the aircraft industry, and the variations in the building trades—it was felt that some new and decisive step must be attempted. Step by step the Government had been drawn into the vortex, and once there it was suggested that circumstances would compel it at last to attempt a comprehensive wages policy. The policy advocated was that of using Regulation 8 a for licensing the amount of labour that firms might employ. The attempt to impose that system and its failure has already been described. It was the failure of the last attempt to solve what in the conditions obtaining was insoluble.

D. PAYMENT BY RESULTS AND THE SKILLED WORKERS' GRIEVANCE

The question of the extension of systems of payment by result (i. e. various systems of assessing wages on the basis of output) did not become a burning question till the autumn of 1915. When at the beginning of that year the shortage of skilled men was the most pressing labour problem of the day, the necessity for removing restrictions on output was discussed principally from the point of view of eliminating demarcation barriers and of admitting unskilled and semi-skilled persons to work previously performed by skilled men. No direct statement was made, for example, at the Treasury Conference of March 1915 that one of the restrictions on output, which the Agreement was designed to remove, was a refusal to work piece work.¹ In so far as it could be established that such a refusal was a restriction, its removal was implicitly directed by section 4 (3) of the Munitions of War Act, 1915, which gave statutory force to the proposals of the Agreement in this particular. If it was maintained (as it was constantly maintained, particularly in the wood-working trades) that a refusal to work on a system of payment by results was not a restriction on output, the proviso to section 4 (3) provided for the reference of the question for decision by arbitration, and this method of decision was adopted in at least one case. Further, it was possible to construe section 4 (5) of the same Act, which dealt with workshop rules, as covering the same point. Employers were of opinion that they could make a rule requiring workmen to work piece work, and that failure to obey the rule would render the person liable to the penalties provided by the section.

But in fact neither of these sections proved efficacious. The truth was that the opposition to piece work in the trades where such opposition existed was as fundamental as the objection to dilution. It has been shown that more than a year's continuous argument and negotiation was necessary before dilution was accepted. It is possible that if payment by results had been simultaneously urged with the same patience and publicity, the

¹ Payment by results was, however, directly referred to in the appeal issued by the Trade Union leaders recommending the adoption of the Treasury Agreement in July 1915.

two innovations might have been accepted simultaneously. As it was, the demand to accept piece work came as a second and even more unpopular demand, and in the trades where its introduction was particularly desired, the system of payment by results made very slow headway.

It must be remembered, however, that the objection to piece work was by no means universal throughout the munitions trades. In the shipbuilding trade some 60 per cent. of the men were engaged on some system of piece work. In the engineering trade there was no national agreement, and the proportion of men employed on a piece-work basis was far lower. But there were a number of local agreements in existence regulating piece work. In the steel trade piece work was common, and in the trades working for the Army Contracts Department, such as clothing and bootmaking, it was the general rule. But in the building trade the system was strongly opposed, and the rules of the Amalgamated Society of Carpenters and Joiners rendered a workman working on the system liable to expulsion.

There were many reasons for the opposition: pride of craft, belief that piece work led to unemployment, but above all the widespread conviction that, whenever piece rates remunerative to the workers had been fixed, they were cut by the employer. It was on this last point that the Government seized in the autumn of 1915, when they came to the view that payment by results must be pressed. Accordingly a public statement appeared in the press on the 13th September as follows:

The Minister of Munitions has been informed that the workmen employed in controlled establishments have been deterred in some cases from complying with the requirements of the Munitions of War Act that all rules, customs, or practices tending to restrict production should be suspended in such establishments by fear that any considerable increase in output might lead to a reduction of the piece rates paid to them.

In view of this the Minister desires to call attention to the fact that under the above-named Act no change in the rates of wages, salary or other emoluments to any class of persons employed in a controlled establishment can be made without notice to the Minister, who may thereupon withhold his consent to the change proposed, subject to the power of either party to demand arbitration.

The Minister is prepared to exercise his powers if necessary in

order to prevent the reduction of piece rates as a consequence of the increase of output due to suspension of restrictions.

At the time when this pledge was given its importance was realized (and perhaps could have been realized) neither by the Government nor by employers. Its object was to remove a deep-seated suspicion among workpeople which was preventing the initiation of a most promising method of increasing output. But in fact the pledge was destined to produce the most far-reaching results. It will be remembered that it was during the autumn of 1915 that the policy of spreading contracts for munitions over firms all through the country was being pressed with vigour. The firms had to rely for the price-list which they fixed for the manufacture of shells on guesswork or on the advice given to them by the old armament firms. These firms, however, had based their prices on the comparatively leisurely and extremely limited pre-war production of a shell far more complicated than the one evolved during the War. These prices pre-war had yielded fair average earnings, but when they were applied practically without alteration to an entirely different type of production, they produced earnings for much less skilled work twice or three times and even four times as great as those derived from the same price-lists before the War. Instances began to pour in from all parts of the country of earnings by unskilled men varying from £5 to £9. But the pledge made the Ministry powerless to intervene. Workmen had been assured that rates would not be cut, and a failure to honour that assurance would, it was felt, strike a blow at the whole system of payment by results. Nor was this all. The fixing of piece-work prices is essentially a matter of shop negotiation between employers and the individual employee or class of employees. The merit of the system is its elasticity. If before any change could be made a reference was required to a Government Department, the whole character of the system was altered. In fact employers were compelled either to adopt (as they did in most cases) a cast-iron system of prices or run the risk of prosecution or labour trouble by attempting to regulate prices on the old basis.

Many things had to be done in war time for the safety of the State, which could hardly be defended on any hypothesis except

that the safety of the State required their performance. This pledge was one of these things, and once given it could not merely be withdrawn, but it had to be reaffirmed, and ultimately was given statutory force in section 8 (1) of the Munitions of War Act, 1917, which provided that :

The undertaking which the owner of a Controlled Establishment is, by virtue of subsection (4) of section 4 of the Munitions of War Act, 1915, deemed to have entered into shall include an undertaking that piece prices, time allowances or bonuses on output, or the rates or prices payable under any other system of payment by results, once fixed in the establishment may not be altered except in accordance with any procedure which has been adopted by agreement between the owner of the establishment and the workman and their representatives.

It is true that the section went on to give the Minister power to give a direction altering piece rates, where agreement had been reached, or failing agreement after consultation with the parties. But the effective part of the section was that prohibiting change and not that permitting it. The pledge, and the policy which it dictated, were a potent factor in creating the skilled man's grievance, and to them as much as to any other single cause can be traced the circumstances which led to the Order of the Minister of Munitions directing the payment of a bonus of $12\frac{1}{2}$ per cent. to male munitions workers.

As events showed, it was not the pledge but the automatic machine and the national factory which stimulated systems of payment by results. During 1916 the automatic machines were being produced in huge numbers and widely installed. As they were manned largely by unskilled labour—male and female—the opposition to piece work, which was felt by the skilled man, was far less. By steady private pressure employers were enabled to extend the system to such an extent that an inquiry early in 1917 elicited the information that at least one-third of the engineering firms of the country were working on a piece-work basis. These private efforts of the firms were more successful than attempts which they made from time to time to secure the introduction of the system by use of the powers given by sections 4 (3) and 4 (5) of the Munitions of War Act, 1915. The national factories,

equipped from the outset throughout with the new machines, universally adopted payment by results, extending it in the form of a collective bonus on output, even to the tool-room.¹ As these factories began to take on their shoulders a large proportion of the total output of shell, so the extent to which payment by results was a factor in production generally increased.

Outside the engineering trade the same progress was not made. It has been stated that the proportion of piece work in the shipbuilding trade was much higher originally than in the engineering trade, but there was a considerable part of the trade covering whole districts in which the system was resolutely opposed. With the intensification of the submarine campaign, the need for extending the system throughout the trade became urgent. Early in the year the Minister of Labour entered into negotiation with the Unions concerned, and proposed a Joint Committee 'to consider and report on the systems of payment now in operation in the engineering and shipbuilding trades with a view to the adoption of the most effective system, having regard to the interests of the State, the workpeople, and the employers'. The object of the Committee, it was explained, was to secure the extension of payment by results on a basis that would be generally acceptable. The Workmen's Associations were not inclined to accept the Committee, but after further negotiation at the end of February the Federation of shipbuilding and engineering trades accepted the principle of payment by results. The Minister of Labour, therefore, communicated to them a procedure designed to give every safeguard to the workpeople following upon the introduction of the system. It was further arranged that meetings should be held in all the principal shipyard centres, at which the objects and the procedure should be fully explained to the men. Mr. (now Sir) Lynden Macassey, Director of the Shipyard Labour Department, conducted an active campaign, addressing meetings at Hull, Glasgow, Newcastle, Barrow, Liverpool, Cardiff, and Bristol. Though resolute opposition was manifested in most centres, Sir Lynden Macassey succeeded in securing a number of

¹ A collective bonus on output was a bonus calculated on the output of the whole establishment. Thus a tool-room worker would receive an increase in earnings if the total output of the works increased.

agreements, the most important being between the Shipbuilding Employers' Federation and the Shipwrights' Society and the Woodcutting Machinists' Society. It is possible that if this campaign had been continued even greater results might have attended it, and that Sir Lynden Macassey might have repeated on a larger scale the success he had achieved as chairman of the Clyde Dilution Commission in introducing dilution in that area. But in the middle of the campaign the strike against dilution on private work and the abolition of the Trade Card Scheme broke out, and in the atmosphere of industrial unrest thereby generated it was considered inexpedient to press forward so controversial an issue.

Even less success attended the efforts of the Ministry of Munitions to introduce the system generally into the wood-working section of the aircraft industry, i. e. that part of the industry which made the wooden structure of the aeroplane. In engineering and shipbuilding there had been some tradition of piece work. In the trades engaged upon aircraft manufacture there had been, on the other hand, a resolute and traditional opposition. The temper of the Unions, at the very time when the Minister of Labour was making his appeal to engineering and shipbuilding trades for an extension of the system, was such that the Amalgamated Society of Carpenters and Joiners—perhaps the leading Union concerned in the new trade—were taking a ballot of their numbers which resulted in a 5 to 1 majority against the introduction of piece work. Quite apart from this objection or principle there was a preliminary difficulty. The work in the aircraft industry was shared by carpenters, joiners, cabinet-makers, coach-builders, organ-builders, wood-cutting machinists, pattern-makers, wheelwrights, and case makers, who were enrolled in at least ten Unions. All these Unions claimed that the aircraft industry was a new trade, and that it should be recognized as such by the fixing of a standard rate of wages, fixed at the level of the highest rate previously paid to any of the workpeople concerned. All the Unions were opposed to the system of payment by results, though with varying degrees of intensity, but all were at one in agreeing that there could be no question of discussing the introduction of the system until the question of a standard wage had been settled. On two occasions in 1916 this

claim was refused by the Committee on Production on the ground that the industry was still in an undeveloped state, and that it was premature to stereotype it. The Committee noted incidentally the desirability of introducing piece work. The Unions were bound to accept the Committee's ruling on the standard wage, but its result was to harden their opposition to piece work. Very little progress was made during the following year. In August 1917 the Committee already mentioned was appointed, under the chairmanship of Sir William Robinson, and in September it reported in favour of

- (a) A standard rate.
- (b) Standard working rules and conditions.
- (c) A maximum working week of 53 hours.
- (d) The general institution of payment by results.

An agreement on the basis of the first three of these recommendations was reached on the 30th October with the National Aircraft Committee, which represented all the Unions concerned. As to (d), however, the most that could be agreed was a formula setting out that

The Minister would approve and support any satisfactory system of payment by results that might be mutually agreed between employers and employed.

The formula meant very little, and the net result was that the standard wage had been achieved with very little advance in the direction of introducing payment by results. The fact was that the opposition to the system in this trade was an article of faith, and if a rough effort had been made to impose it there was no doubt but that labour troubles of an unusually obstinate type would have resulted, with a consequent interruption of the vital aircraft programme. This aspect of the matter must always be remembered, because the need to avoid stoppage of work was often the decisive factor in reaching decisions that in other circumstances could not have been defended. But even so the troubles were not over. There were strikes in the London district, and the gravest objection was taken to the terms of the agreement, both by the Admiralty and the employers, on the ground that it would seriously interfere with rates and conditions in engineering

establishments. Ultimately, on the 8th February 1918 an Order¹ embodying the agreement was issued with some modifications to meet the employers' view. All that could be accomplished was to maintain piece work where it already existed and to approve it in one or two instances where workers and employers agreed to its introduction in individual establishments. But the attempt to introduce the system nationally failed.

The failures must not blind us, however, to the solid success that was achieved in the engineering trade and to a less extent in the shipbuilding trade. But the price of success in these trades was a high one. During 1916 the skilled workers—supervisors, tool-room hands, setters-up, and millwrights, the nature of whose duties made it difficult for them to work piece work—grew increasingly restless as the earnings of unskilled new-comers on piece work began to approach and then far to surpass their own. Difficulties were experienced in all the great centres. Sheffield, for example, sent to the Ministry of Munitions a deputation of skilled men who demonstrated that their earnings were about half of those of the unskilled machine-minders. The pledge to prevent cutting of piece prices prevented a remedy by reducing the earnings of the unskilled, and it was thought economically impossible to meet the position by bringing up the skilled men to the unskilled. The position was further aggravated by the granting of flat war bonuses to both classes, thus further obscuring the distinction between the skilled and the unskilled. The grievance grew in proportions and intensity throughout 1916 and 1917. It had assumed such dimensions in the latter year that the Commissions on Industrial Unrest were unanimous in regarding it as one of the main contributory factors. They were all anxious that some remedy should be devised, and the General Chairman, Mr. Barnes, M.P., in summarizing their recommendations, stated: 'A system should be inaugurated whereby skilled supervisors and others on day rates should receive a bonus.' It will be observed that this recommendation was absolute, and made no reference to the introduction of piece work, where it could be introduced as a means of remedying the grievance.

The grievance was undoubted and overwhelming, and in the

¹ See Appendix 18.

face of the weighty recommendation of the Commissions on Industrial Unrest the Government could hardly refrain from taking action. It was clear that the only action possible would be by administrative Order. The experience gleaned with L 2 and L 3 had shown that compulsion was necessary to enforce a general rate of a new type, and moreover, only if the rate were compulsory could the contractor recover the additional expense involved by it from the Government. Accordingly, section (1) of the Amending Act of 1917 empowered the Minister of Munitions to give directions with regard to the remuneration to be paid for munitions work on time rates when it appeared to him that such directions were necessary 'for the purpose of the maintenance or increase of output'. A Committee was appointed on the 27th August 1917, 'To inquire and report upon the rates of skilled men on munition work employed on day rates with special reference to the discrepancy between such rates and the earnings of less skilled men engaged under systems of payment by results, and the possible effect of this discrepancy in view of the decision to abolish the provisions of the Munitions Acts dealing with leaving certificates, with due regard to the public interest both in the matter of expense and of increasing the output of munitions of war.'

The Committee contained, in addition to Major J. W. Hills, M.P., Chairman, representatives of the Engineering Employers' Federation, of the Engineering Unions and of the Ministry of Munitions, the Ministry of Labour and the Shipyard Labour Department of the Admiralty. The Committee were unable to reach a general agreement. The employers put forward a proposal for a substantial bonus for certain restricted classes of men on the condition that no men should be entitled to the bonus who had refused an opportunity of working on a system of payment by results. This proposal was rejected, and the representatives of the Ministry of Munitions thereupon proposed a 10 per cent. bonus for the classes suggested by the employers, with a few non-controversial additions, reinforcing this suggestion with the proviso that some system of payment by results should be adopted wherever practicable. This proposal also failed of acceptance, and finally the question whether the scheme was to be contingent upon

a system of payment by results was submitted to the Minister of Munitions. It had been made clear by the Trade Unionists that if this condition were imposed, the scheme, instead of removing the grievance, would produce a new one. In these circumstances the Minister was faced with a breakdown of the Committee, and in view of the earnestness with which the need for a remedy had been urged upon him, had no alternative but to reply to the question put to him by saying that the scheme should not be contingent upon a willingness to accept a system of payment by results. The Committee accordingly framed proposals on the new basis, which were not accepted by the employers. The Report was not signed by the employers, and was the Report of the Chairman, the Trade Union representatives, one representative of the Ministry of Munitions, and the representative of the Shipyard Labour Department, the Ministry of Labour representative having withdrawn from the Committee.

The Committee recommended :

1. The inclusion of a limited class of skilled engineers.
2. An advance varying from 10 per cent. to 15 per cent. by way of bonus on earnings.

The history of the ultimate decision of the War Cabinet to adopt a flat bonus of $12\frac{1}{2}$ per cent. to the classes covered by the Hills Committee, with the addition of moulders, is interesting only to those who desire to fix responsibility for what was widely regarded as a grave error of judgement. It is, however, fair to record that the Ministry of Labour and the Admiralty strenuously opposed the proposal throughout.

What followed appeared to justify the opponents of the proposal. The Order was made on the 13th October 1917,¹ and within a week demands to be included from all classes of skilled and semi-skilled time workers excluded were received. These were followed by demands from the unskilled, and finally from piece workers. It was administratively impossible to cope with the situation. Firms throughout the country, who regarded the Order as a grave mistake, flooded the Department with queries as to its applications. Deputations of workers of every class flocked to the Department demanding explanation and inclusion.

¹ See Appendix 17.

Every manner of expedient to meet the situation, including the creation of a War Cabinet Labour Committee under the chairmanship of Mr. G. N. Barnes, was adopted. But nothing could stem the rush, and finally the Government were compelled to bow to the inevitable and to apply the bonus generally to adult male workers on munitions, whether on time or piece. When this was accomplished, except for a general addition of wages all round, the position as between skilled and unskilled workers remained unaltered.

This brings us back to the point at which this chapter started, in which the difficulty of handling wages with partial powers under abnormal conditions was emphasized. The Government, it has been shown, were drawn by the logic of circumstances, pace by pace, further further into the field. One power after another was taken to meet successive emergencies. But the problem, with all its pre-war complications and its war developments, constantly outgrew all expedients devised to meet it. The 12½ per cent. bonus was introduced, after patient and prolonged inquiry, on the advice of the expert Commissions on Industrial Unrest, and to remove a burning grievance which the Government could not ignore. It was a part of the towering complexities of the wages situation that for a grievance so obvious no remedy could be found. But the 12½ per cent. bonus, no less than of many doubtful expedients to which the Government were driven in labour matters by war necessity, it would be a brave man who would assert, when all the circumstances of war pressure, war anxiety, and war speed are considered, that it was not at least worth while taking the risk. The failures that sometimes followed on attempting the risk are apparent: the troubles and dangers that the taking of the risk avoided are unknown, and for that reason often lightly supposed to have been non-existent.

CHAPTER XIV

WAGES. II. WOMEN

THE preceding chapter has shown the difficulties inherent in partial control over a wages system with a complicated and irregular history. This chapter will demonstrate that central control, far more complete than was possible in respect of men's wages, over wages far less complex, had its own difficulties almost as great. At first sight it would be supposed that the problem afforded by women's wages was far simpler than that in respect of the men. In the first place the acute shortage of labour, which in respect of males was one of the principal causes that led to Government intervention in the first instance, did not exist at all. At no period of the War was there a failure in the supply of women's labour. Accordingly it might have been expected that, subject to the incidence of the cost of living, women's wages would to a large degree have been governed by the normal laws of supply and demand. Secondly, the previous history of women's wages did not display the same traditional complexities as that of men's. In certain trades, like the cotton and wool textile industries, women had a definite position and tradition. But for the most part, except where their wages had been compulsorily regulated by Trade Boards set up under the Trade Boards Act of 1909, in general industry they had not established standard wages or secured for themselves recognition of what was skilled and what was unskilled work, nor laid down an elaborate network of demarcation distinctions. Nor was there a multiplicity of Trade Unions, covering women, further to complicate the position. One general Union—the National Federation of Women Workers with a pre-war membership of probably less than 20,000—alone catered directly for general women workers, though one or two of the general Unions, such as the Transport Workers' Federation and the General Workers' Union, had an appreciable female membership. In the specialized trades, such as cotton and wool, the women were organized in the men's Unions, but apart from

these cases, there was a striking lack of organization. In the third place, when the Ministry of Munitions was forced to intervene in this field, no war complications completely altering the character of women's wages had occurred. For the first year of the War women's wages showed practically no movement. They were not forced up by the bidding of employers against one another, and at that time nobody anticipated the immense invasion of the munitions industry that was to follow upon dilution. Finally, when the Government intervened, they intervened with tolerably complete powers of central wage regulation. It is true that these powers were limited to women on munitions work, and that consequently they could only affect indirectly the majority of women on other work. But the powers were in sharp contrast to those taken in respect of men. There almost grudgingly the Government permitted themselves to sanction increases, and to introduce compulsory arbitration, leaving the general initiative to the trades. In the case of women, under section (6) of the Munitions of War Act, 1916, they took the initiative into their own hands.

But all these points are subject to material qualification. It is true that there was no shortage of women labour, but extraneous causes took the place of economic laws in strengthening the women's bargaining position. The Government found themselves in urgent need of women to replace the men who had been recruited. When, therefore, they came to make terms for the introduction of women, they found that they had to reckon not with the women only or even chiefly, but with the men's Unions, who insisted upon conditions which would protect not only the women but even more the interests of the men thus replaced and the Trade Union principles affected by substitution. It was this factor, among others, which helped to destroy the comparative simplicity of the women's wage system, which was cited above as the second distinguishing mark of women's wages. As the price of agreeing to dilution, the men insisted that women's wages should be adjusted so as not to affect the men's wages adversely. What this actually meant will be described in more detail below. Here it will be sufficient to say that it produced from the outset an arbitrary division of women's wages into wages payable in

respect of men's work and wages payable in respect of women's work. The distinction was arbitrary, because there were tracts of work which could not with certainty be attributed to either class, and the result was to create a large number of difficult and often insoluble questions. Moreover, among other results the decision led in many cases to new-comers to industry, replacing men, receiving higher wages than the pre-war experienced women workers engaged in women's work. Over and above this the women, backed as they were by the men's Unions, introduced a further complication by making a claim for 'equal pay for equal work'. This claim at its lowest meant no more than that where women did precisely the same work as was previously done by men, they should receive precisely the same rates. But, as will appear below, the most difficult questions were occasioned by the claim, such as to define exactly what had been the man's work which was being performed by women, and whether the rate included advances and war bonuses. This last point seriously affected the third point, in which women's wages differed from men, i. e. the point that no new complexities had been introduced during the first year of the War. If the claim for equal pay for equal work had been fully successful, all the complications affecting men's wages would have been added to the administration of women's. Though in practice the claim was not completely established, the fluctuations of men's wages did radically affect those of women. Finally, though the Ministry's powers were considerable, they were restricted or rendered difficult of administration in three ways. The negotiations with the men on dilution generally prescribed the form that the regulations should take as regards women on men's work, and in fact created the distinction between the two classes of Order. Secondly, as stated above, the Orders were limited in their scope to women on munitions work. This did not produce any considerable complications in engineering, where very few women were employed on private work. But, when the Ministry were compelled to enter into a score of miscellaneous trades ranging from electrical engineering, through wire-rope to rubber, the women on private work were sometimes actually in the majority. In these cases the Ministry were legislating for a part or even a minority of the trade with obviously

disturbing results upon the part of the trade not covered by their Orders. Finally the lack of organization and the absence of standard wages over a considerable area were in themselves a grave handicap. In dealing with women's wages on women's work the Ministry had a range of rates varying from about 8s. a week to about 15s. a week in the Trade Board trades. Any step in the direction of fixing a national wage was therefore a step in the dark.

The dominant feature of women's wages was the separation into the two classes of wages on men's and women's work respectively. It is therefore necessary to explain in the first place how this separation arose. In doing so, a hotly debated point as to certain pledges given by the Government in the early days of the War in respect of 'equal pay for equal work' must be touched on. It is, however, fortunately not necessary for the present purpose to decide on the rights and wrongs of the various contentions, since all that will be done here will be to give an account of the action taken by the Government without attempting to decide whether this action was or was not in accordance with pledges given.

The question of women's wages first came into prominence during the negotiations which led up to the Treasury Agreement of March 1915. In the course of these negotiations considerable discussion arose on the rates of wages to be paid to dilutees, whether male or female. In the report of the War Cabinet Committee on Women in Industry, appointed in September 1918, under the chairmanship of Mr. Justice Atkin, 'to investigate and report upon the relation which should be maintained between the wages of women and men, having regard to the interests of both, as well as to the value of their work', the discussions are set out at length (though with different conclusions) both in the Majority Report¹ and in the Minority Report signed by Mrs. Sidney Webb. The question at issue was whether at that Conference and later the Government had undertaken in respect of women dilutees (male dilutees were not in dispute) that they should have the same rates, including advances and piece rates, as the men. As has been said, it is not proposed here to enter into the

¹ Report of the War Cabinet Committee on Women in Industry (Cmd. 135).

controversy, but merely to record that the Government acted as though the only pledge given had been that piece rates should be identical for men and women. The relevant paragraphs in the Agreement are (4) and (5), and read as follows :

4. Where the custom of a shop is changed during the War by the introduction of semi-skilled men to perform work hitherto performed by a class of workmen of higher skill, the rates paid shall be the usual rates of the district for that class of work.
5. The relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job. In cases where men, who ordinarily do the work, are adversely affected thereby the necessary readjustments shall be made so that they can maintain their previous earnings.

These paragraphs had a long history, and were possibly at the time, and certainly later, differently interpreted by the parties to the Treasury Agreement—the Government and Labour. Mr. Lloyd George, however, on behalf of the Government, indicated, a few days after the Agreement was signed, the interpretation of it upon which the Government proposed to act. In a letter written to Miss Pankhurst on the 26th March 1915,¹ in reply to a specific question raised by her, Mr. Lloyd George wrote : ‘The words which you quote (viz. an earlier version of the two paragraphs running them together) would guarantee that women undertaking the work of men would get the same piece rates as men were receiving before the date of this agreement...’ On the same day Miss Pankhurst rejoined, asking whether the same principle applied to war bonuses and increases of wages, and to time rates. No answer in writing was given to these points, but on the 17th of July, addressing a deputation of women on the Embankment, Mr. Lloyd George made it clear that the Government proposed to act as though the pledge did not apply to time rates.

The matter was not pressed further at that time, perhaps principally because nobody foresaw the extent to which dilution would be carried. The paragraphs, along with the other executive paragraphs of the Agreement, were given statutory force by section 4 and Schedule II of the Munitions of War Act, 1915. In the meantime, as stated elsewhere, dilution hung fire, and the

¹ Atkin Report, p. 206.

question did not come into prominence again till August 1915. During that month it was continually being represented to the Ministry that such women as had been introduced upon munitions work were receiving wages which differed widely as between various parts of the country, but had the common factor of inadequacy. It was made plain by the men's Unions that, until this state of affairs was remedied, dilution would never be carried out in practice. The question accordingly was one of the first that came before the Central Munitions Labour Supply Committee in September.¹ The question was one of two (the other dealing with the wages of unskilled and semi-skilled male dilutees) remitted to the Wages Sub-Committee, and when they drew up L 2, dealing with women's wages on men's work, they had definitely established for the war period the distinction between the two classes of women's work, which can therefore be handled separately.

A. *Women on Men's Work*

On the 24th and the 27th of September the Sub-Committee drew up the document which was popularly known as L 2. Its main provisions must be given in full, if the questions they provoked are to be appreciated.

The document began by stating that it applied to women of 18 and over engaged on munitions work (separate provision being made for girls under 18), and that it did not apply to work which prior to the War was recognized as women's work and was 'on the basis of the setting up of machines being otherwise provided for'.

Clause 1 provided that 'Women employed on time, on work customarily done by men, shall be rated at a minimum of £1 per week, reckoned on the usual working hours of the district in question for men in engineering establishments. This, however, shall not apply in the case of women employed on work customarily done by fully skilled tradesmen, in which case the women shall be paid the time rates of the tradesmen whose work they undertake.'

¹ For account of the Committee see chapter on Dilution and Treasury Agreement, and for account of its wages work in respect of skilled and semi-skilled men see preceding chapter.

Overtime and night shift and Sunday and holiday allowances payable to men shall also be made to women.'

Clause 2 provided that where women were prevented from working by breakdown or air raid or any cause beyond their control, the time lost shall be paid at the rate of 45s. a week, unless they are sent home.

Clause 3 provided that women should not be put on piece work or premium bonus systems until sufficiently qualified, with the proviso that in the case of shell work the period of qualification should not, as a rule, exceed three or four weeks.

Clause 4 provided that 'Where women are employed on piece work they shall receive the same piece-work prices as are customarily paid to men for the job'.

Clause 5 contained a similar provision as to premium bonus systems.

Clauses 6 and 7 contained provisions to secure that women should be treated identically with men in respect of piece-work and premium bonus systems in cases where either the job had not been worked on or the establishment had not been accustomed to these principles.

Clause 8 stated the basis of the whole regulations so far as piece work was concerned by providing 'The principle upon which these regulations proceed is that on systems of payment by results equal payment shall be made to women as to men for an equal amount of work done.'

Clause 9, subject to this, left the actual price to be fixed by agreement between the employer and the women.

Clauses 10 and 11 provided for a fall-back rate of £1 as specified in Clause 1, and forbade debit balances¹ to be carried forward.

Clause 12 provided that 'Overtime and night shift and Sunday and holiday allowances shall be paid to women employed on piece work or premium bonus system on the same conditions as now prevail in the district in question for time work'.

¹ The system of carrying forward debit balances was regarded as a real grievance by male workers and was put forward as one of the grounds of opposition to payment by results. Under this system if a worker failed to reach the minimum rate the deficit was charged against him and carried forward, with the result in some cases that the worker could never in any week earn more than the guaranteed minimum.

Clause 13 safeguarded the cutting of piece prices, and 14 provided for payment through the office.

Clauses 15 and 16 dealt with girls under 18, providing for a 10 per cent. reduction for each year under 18.

Certain general regulations followed, limiting the operation of the regulations to the war period, providing for the order of dismissal of female employees after the War, and containing a recommendation in favour of the use of the three-shift system where women were employed. Finally, the Minister of Munitions took power to interpret points arising in the regulations.¹

This document was accepted by the Minister of Munitions, though with two alterations of some substance. The words in Clause 1 to the effect that the £1 should be a minimum rate was omitted on the ground that what establishments needed was a firm and unambiguous declaration. The provision as to girls under 18 was also omitted, as requiring further consideration. With these amendments the regulations were issued in October to national factories as instructions, and to controlled establishments as recommendations. The Trade Unions, however, were not satisfied that recommendation was sufficient. They pointed out that many employers were not acting upon the recommendation, and were resolute that dilution should not proceed until the regulations were made mandatory. This claim was conceded in the Munitions of War Act, 1916, when the Government finally took the bold step of taking power to regulate women's wages by central order. The relevant sections are 6 and 8 of that Act, and provide as follows :

Section 6 (1). Where female workers are employed on or in connexion with munitions work in any establishment of a class to which the provisions of section 7 of the principal Act as amended by this Act are for the time being applied by an Order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Act, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour or conditions of employment, of the female workers so employed.

¹ This power tended to conflict with the arbitral functions of the Committee on Production under Part I of the Munitions of War Act, 1915.

Section 8 (1). The Minister of Munitions may constitute special arbitration tribunals to deal with differences reported under Part I of the principal Act which relate to matters on which the Minister of Munitions has given or is empowered to give directions under the last two preceding sections, and the Board of Trade may refer any such difference for settlement to such tribunal in lieu of referring it for settlement in accordance with the first schedule to the principal Act.

(2). The Minister of Munitions may also refer to a special arbitration tribunal so constituted for advice on any question as to what directions are to be given by him under the said sections.

The first steps taken under these sections was to re-issue L 2 as a Statutory Order on the 28th February 1916, and to set up two special tribunals, one for women's wages and one for semi-skilled and unskilled dilutees, under the chairmanship of Mr. (now Sir) Lynden Macassey.

With the statutory issue of L 2 it speedily became apparent into what difficult territory the Ministry had penetrated. Five or six questions of first-class importance emerged, several of which involved a decision on points that had been the subject of prolonged controversy in the Labour world. The points arose on—

- (a) The meaning of the word 'customarily' in Clause 1.
- (b) The basis upon which overtime and night-work allowances, mentioned in Clause 12, were to be fixed.
- (c) What was the hourly rate, i. e. was it a fixed minimum of £1, or was there a basis altering with the actual hours worked.
- (d) What was meant by 'fully skilled' work in Clause 1.
- (e) What was to be the treatment of women engaged in semi-skilled work not covered by the regulations, and of less general importance.
- (f) Were deductions to be made in respect of setting up ?
- (g) What rates were to be paid in respect of women substituted for boys ?

Of these, (a), (d), and (e) all raised first-class issues that went deep into Trade Union history.

In deciding what work had been 'customarily' done by men, the Ministry were at once brought into the shifting borderline

country between men and women's work—in some districts a no-man's land and in others a no-woman's land. What basis was to be adopted? There might be a tendency for the employer to claim a disputed job to be women's work, while labour might claim the opposite. Ultimately the decision was reached both by the Special Arbitration Tribunal and the Department, that, in deciding, regard must be had not to national or even district custom, but to the custom of the shop.

With regard to the basis of extra allowances, e. g. time and a quarter, time and a half, &c., were these to be based on the women's rate of £1 per week or to be the actual amounts payable to men on the same work? The decision was in favour of the first alternative. Women were entitled to the overtime payment for the same hours as the men, but based on their own rates.

The third point was settled by declaring that the £1 was not an absolute minimum but a weekly wage for the full hours worked in an establishment. Thus if the normal week was 54 hours, a woman working 27 hours would be entitled to 10s. only, unless the clause as to interruption of work due to causes outside her control applied.

The question what was meant by 'fully skilled' work led to the greatest difficulty of all. As in respect of work 'customarily' performed, it raised traditional issues. But in this case there were two added complications. In the first place the introduction of the automatic machine and other methods of sub-division had the effect of splitting up the work, and even where the work was not split up, the woman could not set up her machine, though this was often a part of the skilled man's job. Was the woman entitled to the full rate even in these circumstances? Secondly, it was obvious that a woman, newly introduced upon fully skilled work, could not be proficient from the outset. Was she to have a period of probation, and if so, what period? The minor question involved in setting up (mentioned above as question (e)) was settled by the Special Arbitration Tribunal, who awarded 10 per cent. deduction in the case of a woman doing skilled work at Messrs. Armstrong's. This decision was embodied in Order 49 (the amended L 2), and settled the question. But the other issue presented much greater difficulty. It is probable that when the

words dealing with 'fully skilled' work were inserted in Clause 1 that they were regarded as academic, and that it was not seriously expected that women would in fact ever be able to perform 'fully skilled' work. However that may be, the words were there, and had to be honoured. The difficulty, both on the question of split work and probation, arose acutely in February 1916 at the works of Messrs. John Lang & Co., Paisley, where a strike against the introduction of women was declared on this point. A period of difficult negotiations between the Clyde Dilution Commission, the Ministry of Munitions, and the A.S.E., resulted in an agreement which laid it down that, even where women were engaged on a part only of skilled work previously performed by men, they should, starting from £1 a week, reach the full tradesman's rate as from the end of the thirteenth week. This for the moment decided the point, but it will be seen below that it continued to create a formidable obstacle in the way of introducing women upon skilled men's work.

There was next the question of the semi-skilled work intermediate between that payable to dilutees under the first and second sentences of Clause 1. The point was raised on the Clyde and the Tyne in May, and was raised specifically by Miss Macarthur on behalf of the National Federation of Women Workers when on the 28th July 1916 she demanded that 'women engaged continuously on time or semi-skilled men's work should receive the rate current in the district for that work'. The importance of this claim was that it brought into the area of practical consideration the claim that the intention underlying the Treasury Agreement had been that on time as well as on piece women were entitled to equal pay for the same work with men—a claim which had been tacitly withdrawn or at least not pressed when the Trade Union representatives on the Central Munitions Labour Supply Committee had agreed to the first sentence of Clause 1 of L 2. The Ministry were not prepared to concede this demand, but they recognized that the case of women on semi-skilled men's work must be further considered. It was decided, accordingly, to refer L 2 back to the Central Munitions Labour Supply Committee on this point and on the others which had arisen.¹ The

¹ Special reference is not made here to the rates for women substituting boys.

Central Munitions Labour Supply Committee and the Special Arbitration Tribunal both gave their minds to this problem, and arrived at very similar conclusions. As a result of these recommendations a new Order 885 was issued on the 24th of December, which decided the vexed question as follows :

1. No alteration was made in the phrase 'customarily done by men'.
2. The question as to overtime allowances was settled on the basis of the women's rate and not the men's rate.
3. It was definitely decided that £1 per week should be the rate for a working week of 48 hours *or less*; 6d. an hour extra was fixed for working week up to 54 hours.
4. The question of the fully skilled man was decided as follows :
 - (a) In the case where a woman did the whole of the man's work she was to be paid the full rate from the commencement.
 - (b) A negative definition of fully skilled work was given by providing that 'a woman shall be considered as not employed in the work customarily done by fully skilled tradesmen, but a part or portion only thereof, if she does not do the customary setting up, or when there is no setting up, if she requires skilled supervision to a degree beyond that customarily required by fully skilled tradesmen undertaking the work in question'.
 - (c) For women doing part or portion of such work the provisions of the agreement reached with the A.S.E. as to a three months' probationary period were adopted, and in respect of extra expense in setting up, a deduction not exceeding 10 per cent. from wages, subject to the consent of the Minister, was permitted.
5. In respect of women engaged on semi-skilled work previously performed by men, the following provision was

The points raised were not important though interesting. In fact it was held by the Ministry that women substituting apprentices under 18 were not covered by L 2, and in respect of apprentices over 18 the criterion for fixing the rate was the character of the work.

made : ‘ Women employed on time (a) on work of a class customarily done by semi-skilled men, or (b) on work of a specially laborious or responsible nature, or (c) where special circumstances exist, shall be paid according to the nature of the work and the ability of the women, but in no case less than the time rates specified in paragraph 1 (a) (i. e. the paragraph fixing the minimum of £1 for a week of 48 hours).’

Order 49¹ was issued on the 21st January 1917, re-enacting the above Order 885, adding detailed directions for the solution of some of the problems raised in the question of ‘ fully skilled ’ work. This Order was re-issued in April, June, September, and November 1917, as Orders 489, 569, 888, 1,116, in the same terms, but providing in each Order for an advance in the basis rate following on the cost of living.

Order 489 did not end the difficulties of administration, though it cleared up a number of doubtful points. But this very clearing up threw into high relief the difficulty in respect of women on fully skilled work. During 1917 and 1918 the increasing demands of recruiting as well as the growing experience of women made the problem a burning one. When employers came to realize that the Order required them to pay full rates to women on fully skilled work in many quarters, and particularly in the machine-tool trade, they took the view that the provision rendered further dilution impossible on work of this class. A variety of ingenious and often satisfactory schemes were devised by employers as substitutes for the rigid terms of the Order, but these could not be accepted. The contested provision was part of the price paid for dilution, and however inconvenient it might be, even if honour would have permitted its amendment, the other party to the bargain would not. Difficulty was further experienced in settling rates for the intermediate classes of workers which, under the Order of January, were left to local settlement, subject to the underpinning minimum. The employers suggested and fixed scales for certain specified classes as a means of clearing up the position between skilled and semi-skilled work. The difficulty of this proposition, however, was that it was claimed by Labour that

¹ See Appendix 19.

in some cases it settled the question by setting down as semi-skilled work claimed by them as skilled. The Department, however, preferred to leave the matter to local settlement, or in a few cases to settlement by arbitration under section 4 (2) of the Munitions Act, 1915, or in a large number of cases to the decision of the Special Arbitration Tribunal.

A greater difficulty, however, arose in 1917 with regard to women's right to share in men's advances. It will be remembered that in February of that year the Engineering Employers' Federation and the Engineering Unions agreed to go to the Committee on Production quarterly for national wages awards required by the increase from time to time of the cost of living. The Department took the view from the first, and never departed from it, that the rate which the Government were pledged to maintain was the standard rate. War bonuses were categorically defined by the Committee on Production 'as war advances, intended to assist in meeting the increased cost of living and . . . to be recognized as due to and dependent on the existence of the abnormal conditions now prevailing in consequence of the War'. The women not on fully skilled work were entitled, in the Department's view, to their own advances, and in fact received them from the Special Arbitration Tribunal at periods closely following those in respect of men. But apart from this they adhered to their attitude, which was pushed to its logical conclusion when women alone were refused the 12½ per cent. bonus at the time of its general extension to all male munitions workers. Whether this attitude was consistent with the Government's pledges or not will not be argued here. It was strongly denounced by Labour opinion as a breach of the pledge. After October 1917 the protests grew in volume. Deep dissatisfaction with the Government's attitude in this respect was displayed before the McCardie Committee, appointed in the summer of 1918, and the point was one which specially occupied the attention of the Atkin Committee. The Special Arbitration Tribunal had supported the action of the Department, and the majority view of the Atkin Committee on the point was expressed as follows: 'On the whole, though there is much to be said for the contention of the Trade Unions, we think, in view of the fact that the difference in advances to men and women did not impair

the position of the men, and in consideration of the terms of the Committee on Production's awards, that this allegation (i. e. breach of faith) has not been established.' On the other hand, in the Minority Report Mrs. Sidney Webb sums up the position as follows: 'In view, not only of the discussions at the Treasury Conference, and of the terms of the agreement itself, but also of Mr. Lloyd George's emphatic and repeated guarantee "that if women turn out the same quantity of work as men employed on the same job, they will receive exactly the same pay", I cannot see any justification for holding, with regard to women substituted for men on war work, any other view with regard to advances than that held with regard to wages.'

A consolidated Order was issued in May 1918, and at that time the principles underlying the position of women on men's work were finally established for the period of the War.

B. *Women on Women's Work*

The regulation of the wages of women upon women's work is not directly connected with the need for increasing the output of munitions—the motive power which urged the Government forward in all their other wages adventures. But the fact that they were ultimately driven to enter this field is the most striking evidence of the truism—illustrated at every point in the account of wages—that to touch the main body of wages at any point is ultimately to touch it at all. In the realm of wages it is literally true, as it has been alleged of the world of thought, that you cannot pluck a flower without troubling of a star. There was therefore every apparent reason why the Government should abstain from attempting this excursion. There was no wild fluctuation in women's wages which required control in the interests of output. The territory to be entered was unlighted by precedent, and there were few marks to guide the Government on their way. What was attempted was therefore likely to be largely pioneer work, but not pioneer work in a virgin country. For, even though wages system on women's work had developed little, yet in each trade where women were largely employed a certain body of tradition and custom had been established, upon which the economic side of the trade was in a measure based. Differences

existed not only between trades, but between districts in the same trade, and any national wage imposed centrally might seriously embarrass traders if it were uneconomic in quality. But over and above this, unlike the position in respect of women on men's work, any Government Order affecting women on women's work would be limited to the minority of women, and could not but affect the majority engaged not on munitions but on private work.

There were strong reasons on the surface for hesitation, and in fact the Government did hesitate for six months after making the first Order for women on men's work before making one for the other class of women in July 1916. If the objections to such regulation were strong, the reasons impelling the Government to make them were stronger. Perhaps the strongest was their own action in making the Orders for women on men's work. Immediately rates considerably above those paid even in the Trade Board trades were payable to women who were in many cases new-comers to industry. It was an almost intolerable grievance for women also engaged on munitions, but on work done previously by women, and often skilled at that work, not only to see new recruits earning far higher wages than their own, but themselves, as the cost of living rose, to suffer hardship because, quite apart from comparison, their rates were inadequate. As the net of war spread more widely, trade after trade was brought into munitions work, till in June 1918 some 80 of the sub-divisions known to the Employment Exchanges in the metal, chemical, and 'miscellaneous' trades were concerned. This process was gradual, but already in 1916 the Government were placing contracts in a number of trades where wages were still low. The Government, in a sense the indirect employer, could hardly face the criticism that, when they had the power to remedy an admitted grievance, they did not avail themselves of it. Nor, apart from the natural desire of the Government to give a lead to employers generally, could they conceal from themselves that to permit the continued employment of women on munitions work on low wages was to court industrial unrest.

The Government accordingly bowed to the inevitable, but they bowed with caution.

The Central Munitions Labour Supply Committee in November

1915 had been brought face to face with this question. They framed two sets of regulations, one dealing with women engaged on munitions work of a class which prior to the War was recognized as women's work, in districts where such work was customarily carried on, excluding those engaged on shell filling, cartridge-making, and fuse assembling, the second with women employed in the new national filling factories. They proposed in both cases that the woman piece worker was to be based on a rate of 4d. an hour, with prices calculated to produce $33\frac{1}{3}$ per cent. in excess of this, with higher rates for dangerous processes. A flat rate of 9d. an hour as a minimum for time and piece workers was also proposed. The Government did not find themselves able at that time to accept these recommendations nationally, but the rates were accepted for the filling factories, and applied as each one was successively brought into bearing. For the rest they preferred to leave the first step to be taken by the Special Arbitration Tribunal by way of award. Section 8 of the Munitions of War Act, 1916, provided that the Board of Trade might refer to that tribunal for arbitration any questions which fell within the sphere covered by the Minister's power to make Orders.

Under this power a number of cases were immediately referred to the Special Arbitration Tribunal, who issued a number of awards, the leading case (in virtue of the effect which it had upon the subsequent Order) being that of the women workers at Messrs. Eley Bros., Edmonton, where the Committee awarded to workers of 18 and over on time work $4\frac{1}{2}d.$ per hour, and on piece 4d., with an extra $\frac{1}{2}d.$ for danger money, and $\frac{1}{2}d.$ an hour less for each year less than 18 down to 15. Simultaneously, the Committee were considering a reference from the Ministry of Munitions, 'Whether any directions should be given by the Minister under section 6 of the Munitions of War Act, 1916, fixing a minimum wage for women or girls engaged on munitions work of a class which prior to the War was recognized as women's work in the districts where such work was customarily carried on, either generally or for particular trades in districts, or in the alternative whether any question relating to the remuneration of women so engaged should be dealt with as it arises.'

The Tribunals were faced with all the difficulties that have been

suggested at the beginning of this section. On the one hand, if they recommended a national rate they would cut across a multitude of differences of practice and affect large bodies of workers on private work. Nor could they have the security possessed by the Trade Boards of fixing rates, trade by trade, for the whole trade, which had been carefully isolated and defined, and rates fixed by a joint body of employers and employed in the trade. On the other hand, district regulation was almost impracticable, and a failure to make any regulation would leave the grievance unremedied. Ultimately they decided in favour of a national Order, and on the 6th July 1916, Order 447,¹ applying to women on women's work, was made, coming into effective operation on the 17th of July. The Order followed in point of rates the award given in the case of Messrs. Eley Bros. It provided for a guaranteed minimum for piece workers, dealt with debit balances, fixed the four weeks' qualification before women, if qualified, were to be put on piece and premium bonus systems, and contained a declaration that the rates were war rates only.

The Order was far simpler than 49—the Order made in January 1916 to deal with women on men's work. There were certain obvious and deliberate omissions, and it was applied, in the first instance, to a strictly limited number of establishments (1,373 in all) engaged in the following trades :

Armament, ammunition ordnance ; explosives ; filling factories (except one lately opened) ; mechanical ; marine ; constructional engineering works ; machine tool-making ; shipbuilding and repairing ; printing and textile machinery ; motors and cycles ; also certain iron and steel and aviation works concerned with engineering.

The omissions in the Order (though not in the Tribunal's recommendations) related to overtime rates and the relation between piece and time rates. These points were omitted because it was feared that the great variety of practice would make any hard and fast regulation very difficult of administration.

When the Order was promulgated it had few friends. On the side of Labour the amount of the rates, the omissions and the limited application of the Order were all hotly criticized. On the

¹ See Appendix 20.

side of the employers it was contended that the rate fixed was unduly high, and that it was causing disastrous reactions in respect of the rates payable to women on private work. The Midland employers, in particular, were able to point to successive agreements made during 1915 and 1916 with the Workers' Union, fixing such rates as 16s. and 15s. for women at 21, and 11s. and 12s. for women at 18, as contrasted with the rate of practically £1 fixed by the Order for women of 18 on a 53-hour week. It was contended that these wages would not merely make the women on private work discontented, but would lead to loss of foreign contracts and would necessarily involve dismissals. No complaints, it was stated, had been received from women on private work against the existing rate, and as was shown by the agreements in the Midlands the Unions themselves were ready to accept far lower rates. In these circumstances the withdrawal of Order 447 was strongly urged.

But the Ministry were not prepared to withdraw the Order. On the contrary, a new Order, 618¹ was issued in September repairing the two omissions in the previous Order by providing that piece work should yield $33\frac{1}{3}$ per cent. over time work, and that payment for overtime, night shift, or holiday work should be made 'in accordance with the custom of the establishment or district for the class of workpeople concerned in cases where such a custom exists, "or failing such a custom", in accordance with the directions of the Ministry'. The two Orders—447, 618—were issued in September to a large number of controlled establishments, in addition to the 1,373 originally covered.

But the matter did not rest there. While the attitude of the employers was hardened by the further Order, it became obvious that the Ministry must either withdraw or go much more deeply into the general body of trade than was originally intended. It was the old story of the organic character of the trade of the country. Accordingly, on the 3rd October 1916, the Minister referred to the Special Arbitration Tribunal the question whether Orders 447 and 618 should be applied in their entirety, or if not with modifications, to a long list of miscellaneous trades, all of which had claimed exemption from the Order. The Committee

¹ See Appendix 20.

replied (*a*) that the Order should be applied to the following trades : Electrical engineering, the wire, rope, cable, and hemp rope trades, the manufacture of tubes, iron and steel works, iron and brass foundries, lead works, copper works, the manufacture of scientific instruments, sundry explosives works, paper, rubber, asbestos, silversmiths, emery ; (*b*) that wood-working should be brought under the separate Order for women on aircraft work (see below).

They further recommended lower time rates for girls of 14 and 15 on piece work, probationary periods at $\frac{1}{2}d.$ per hour less, and rates lower by $\frac{1}{4}d.$ or $\frac{1}{2}d.$ in certain outlying districts. Finally, they recommended, in order to meet an objection of employers that in certain trades the minority of establishments were controlled, and therefore liable to an Order avoided by their competitors on private work, that in such cases these few firms should be decontrolled.

Here then the Wages Order for women on women's work is plainly seen no longer as a stripling but as a Colossus bestriding a great field of industry. The armour for this figure was provided in January 1917, when two Orders (9 and 10) giving effect to the Tribunal's general recommendations were issued.¹ The Orders for women's work continued to excite dissatisfaction both among employers and employed. The employers throughout maintained their opposition to the Orders on the ground of the general disturbance they brought about in industry, while the workers continued to point out that the rates were low and compared most unfavourably with those paid to women on men's work. This disparity was inevitable, but something to remedy this was attempted. In April 1917 the rate for time workers was raised 1*d.*, and that for piece workers $\frac{1}{2}d.$. In August and December this class of women workers shared the general rise to women workers of 2*s.* 6*d.* and 3*s.* 6*d.* a week respectively. The establishments to which the Orders applied were extended in number during 1917, and in May 1918 a consolidation Order² was issued. This contained a provision tending to make the rates more in the nature of minimum than standard rates than hitherto,

¹ These included the Sheffield 'light trades', including the saw and file trades, in accordance with a later recommendation of the Tribunal.

² See Appendix 20.

and a provision was made to remove a grievance felt by piece workers.

It only remains, before giving a very few figures as to the wages actually paid, to refer briefly to the special Order for women on aircraft work. The difficulties in this industry, so far as men were concerned, have been indicated in the previous chapter. While the men were groping to a standard rate for the industry, the women were similarly engaged. In May 1916 the Special Tribunal had a series of conferences with aeroplane manufacturers and employers on this subject. The special difficulty, in view of the entirely novel character of the industry, was to find any pre-war basis to distinguish between skilled and unskilled work, men and women's work. The men, fighting the battle to establish a standard skilled rate, were not anxious to concede any work to the women. On the other hand, they tended to claim that nearly all the work in the trade was skilled, and therefore, *ex hypothesi*, to be reserved for men or only to be performed by women on 'fully qualified skilled' rates. On the other hand the women were already at work on the manufacture of dope, the assembling of ribs, finishing machine-made struts, polishing propellers, and on many other processes. The employers, on their side, maintained that a great deal of the work was pure repetition, suitable for women and boys. The tribunal issued their recommendations in August, fixing 5d. an hour for time workers and $4\frac{1}{2}$ d. for piece workers, with $\frac{1}{2}$ d. extra for inspectors and gaugers; $6\frac{1}{2}$ d. for women on machine processes after six weeks. These recommendations were accepted, and an Order¹ giving effect to them was issued, which was amended in April 1917 to increase the time rates by 1d. in each case. The Orders raised the difficulties as to women on 'fully qualified' skilled work that were to be anticipated; but the principle was never conceded on time rates, though it was conceded so far as piece rates and premium bonus systems were concerned in the consolidation Order of May 1918. Other woodwork, in accordance with the advice of the Special Arbitration Tribunal, was later included, as was, by the consolidating Order, the work of women engaged on sheet metal work for aeroplane parts.

¹ See Appendix 22.

Rates

The number of women ultimately covered by both series of Orders was never definitely known, but it was certainly far in excess of 1,000,000. A large proportion of these workers had not been industrial workers before the War, but the rates of the rest must have varied between 10*s.* to 12*s.*¹ (or at most 14*s.*) a week on time rates, for the numbers drawn in from the higher paid women's industries of cotton and wool were not considerable. Allowing for the cost of living (which at September 1918 stood at 110), a very few figures will indicate what the women had gained by the operation of these Orders. For time workers the lowest weekly rate for a 48-hour week was 29*s. 6d.* for women on women's work,¹ and the highest minimum rate was 37*s. 6d.* for women on machine processes or aircraft. But it is certain that a minority—and probably a small minority—were receiving this amount. It was based on a 48-hour week, and this was by no means commonly worked, 53 and 54-hour weeks being much more common. In addition a very considerable amount of overtime work was the practice. Further, these rates, except the aircraft rate, are the bottom rate. As time went on, the number of women employed on semi-skilled and fully skilled work (though the proportion of the latter was very much less than the former) grew in volume, and all these women earned time rates far higher than those specified. In addition a very large proportion of the women were engaged on piece work which was designed to yield one-third over time rates. (In this case, however, the comparison must be made not with pre-war time rates quoted above, but with pre-war piece earnings which were higher.) When all these factors are taken into consideration it will be fair to assume that the bulk of the women at the time of the Armistice were getting a weekly rate of not less than 30*s.* to 35*s.* This is supported by a statement on p. 151 of the Atkin Committee Report, which indicates that, according to witnesses, the average earnings of women munitions workers on women's work were between these figures. Women in the light-casting trade and chemical labourers were getting 35*s.*

¹ These were rates in trades allied to engineering. In other trades from which workers were drawn, the rates, as shown by the Board of Trade Inquiry into Wages in 1906, would have dropped in certain cases to 7*s.*

to 40s., in engineering and explosives, 40s. to 45s. Other occupations, not covered by the Orders, were being as highly paid, but it may be asserted with confidence that these higher rates were the direct result of the wages fixed by the munitions Orders. It is not possible to arrive at any satisfactory figure as to the proportion of women earning between 30s. to 35s., and those earning more. But even if (as is probably not the case) the great majority were in that range, it is sufficient to look at the pre-war figures to estimate what, from the women's point of view, had been achieved.

CHAPTER XV

CONCLUSION

BECAUSE few references have been made to the part played by the Ministry of Labour during the War, it must not be supposed that that Department had not an important function or did not take its own considerable share in helping to direct events. As the Department after 1916 charged with the responsibility for the Employment Exchanges, it provided the basis for the whole system of Labour Supply. As the Department through which claims were submitted to the Committee on Production, it was in a sense the ultimate custodian of the Government's duties as conciliator. Possessing these dual functions, and of deliberate purpose removed from the immediate executive responsibilities involved in the administration of the Munitions Acts, the Ministry of Labour remained, as far as the War would permit, neutral in labour matters, attempting to hold the balance even between the two sides, and able in consequence to give cool, general advice to all the executive Departments struggling with the day-to-day incidents of Labour Supply and Regulation.

These were important duties, but there remained one duty, perhaps the most important of all, which, to complete the picture of the handling of labour questions during the War, must be briefly touched on in this, the final chapter. The sole preoccupation of the Ministry of Munitions, the Shipyard Labour Department of the Admiralty, the Contracts Department of the War Office, and even of the Coal Controller's Department in labour matters, was with the War. The Ministry of Labour was, in addition and in the later days of the struggle, principally occupied with preparations for the Peace. War had completely and violently transformed industry. The whole character of production over a number of great trades had been altered. With the change of methods and objects of production had come a change even more profound in the conditions affecting the employment of labour. Demarcation restrictions had been swept away, huge numbers of

women had taken the place of men. Large numbers of men were enrolled in mobile corps, living away from their homes. Strikes and lock-outs were forbidden, and compulsory arbitration decided wages issues. The cost of living and the war situation had forced wages, both of men and women, up to unprecedented heights. The Government had been compelled to assume a control of all these matters, partial indeed and varying in efficacy, but none the less dominating the whole industrial field. War had suddenly and remorselessly demanded these changes. What was to be done when with Peace the armies were demobilized and industry returned to peace conditions ?

This, so far as the purely labour aspect was concerned, it was the business of the Ministry of Labour (in co-operation in certain aspects with the Ministry of Reconstruction created in 1917) to study and to provide for, and in order to round off the story a short description of the plans made and of their immediate application after the Armistice is necessary. The main division of the subject into Labour Supply and Regulation may still be appropriately maintained. For there were two questions. How were the Forces and the munitions workers to be demobilized so as to supply industry turning from war to peace with the necessary labour with least possible dislocation to production and hardship to the workmen, and what was the answer to such questions as the future of compulsory arbitration, the maintenance of a reasonable wages level during the transition period and the restoration of pre-war Trade Union restrictions in accordance with the provisions of section 4 (4) of the Munitions of War Act, 1915 ? The Ministry of Labour prepared plans to deal with both problems.

So far as the demobilization of the Forces was concerned, this was primarily a military problem, secondly a problem of transportation, and only thirdly a labour problem. The method and times of demobilizations must be largely dictated by the military situation, and when that situation was clear, the speed at which the men could actually be released depended upon the steps available to bring them home, and the actual physical arrangements which could be made at the distribution centres. These were problems over which the Ministry of Labour and the Ministry of Reconstruction could have no control. But, subject to the

limitations thus imposed, they could and did make plans for dealing with the industrial aspect of demobilization. Experience of mobilization and recruiting had shown that indiscriminate methods of withdrawing men from production had caused difficulties never wholly surmounted during the war period. At all costs the repetition of that mistake by indiscriminate release of men from the Colours must be avoided. As early as 1915 a joint memorandum by Sir Hubert Llewellyn Smith (Secretary of the Board of Trade) and Sir Reginald Brade (Secretary of the War Office) had established the principle that, subject to military necessities, men should be released as far as possible in accordance with the requirements of the post-war industrial situation. What was meant by this was that, in releasing men, regard should be had to their industrial qualifications and the extent to which men of particular classes would be required for the immediate purpose of the turnover from war to peace. This principle was worked out in elaborate detail by a series of Committees, Joint Committees of the Ministry of Labour and the War Office, the Labour Resettlement Committee of the Ministry of Labour,¹ and a Committee of the Ministry of Reconstruction. The schemes prepared need not be detailed here. The essential feature, however, was to put the employer needing labour in touch with his own men, or men appropriate to his needs, through the medium of the Employment Exchanges. A distinction was drawn between 'pivotal' men, i. e. men without whom industry could not be started at all, and men who, though not pivotal, would be needed as soon as industry was going again. The machinery was devised so as to enable men and employers to be put in touch through forms before the termination of hostilities at a time when the military situation permitted. The suddenness with which the Armistice came prevented the preliminary arrangements from being carried out. Moreover, demobilization proceeded at a far greater speed than the most sanguine had dared to hope. Considerable modifications of the plans had therefore to be introduced, but the two salient features remained—prior release of the men required for industry,

¹ A Committee appointed by Mr. George H. Roberts, M.P., when Minister of Labour, consisting of leading employers and Trade Unionists in the principal trades under the chairmanship of Lord Burnham, to advise the Ministry of Labour on post-war questions.

and the general use of Employment Exchanges for their subsequent placing and distribution. In the same way the Ministry of Labour and the Ministry of Reconstruction had made plans for the demobilization of civil war workers. These plans, as the military ones, provided for bringing workers back to their original occupations where required. But while the problem of the regular worker was in both cases the same, the problem of the worker who had come into munitions only was different. To provide for this case suggestions as to the order of dismissal were made, so that the minimum of hardship might be inflicted, and arrangements for enabling workers to return to their homes were made. Further, it was suggested that, on the termination of war, munitions production should, subject always to the imperative need of avoiding waste, not be suddenly closed down in a day with the immense dislocation that such action would involve. The spirit of the recommendations was carried out in a circular issued on the 11th November 1918 by the Ministry of Munitions to all national factories and controlled establishments. Finally, in view of the complexity and importance of the subject, a Demobilization Department of the Ministry of Labour was suggested and set up immediately after the Armistice under Sir Stephenson Kent (who had been responsible for the Labour Departments of the Ministry of Munitions) as Comptroller-General of Civil Demobilization and Resettlement. It was the business of this Department to co-ordinate military and civil demobilization and to smooth the way for the progress of both, principally through the machinery of the Employment Exchanges, which was placed under the new Department.

But however smoothly demobilization might proceed, great dislocation must ensue. Industry could not turn over in a day or even in a month from war to peace, nor could it absorb millions of workers at once. A period must, therefore, be anticipated, lasting over at least the year following demobilization, when unemployment would reach a very high figure. To prepare for this the Ministry of Labour had turned their attention in 1917 to the extension of the system of unemployment insurance as the only method of meeting the situation. The matter was exhaustively considered by a Reconstruction Committee under the

chairmanship of Sir William Beveridge (then Secretary of the Ministry of Food) during that year. The Committee reported in favour of the immediate introduction of a Bill extending unemployment insurance generally, and proposing that the benefit, instead of the 7*s.* payable under the Act of 1911, should be 15*s.* for men and 12*s.* for women.¹ The Government, in the pressure of war business, found themselves unable to introduce the necessary legislation. In the absence of legislation a contributory scheme (i. e. a scheme in which employers and employed paid a weekly contribution) was not practicable. It became necessary accordingly to devise non-contributory schemes, of which there were two—one for men released from the Forces and the other for civilian workers. In the case of the former each man was given a year's free insurance policy—the amounts payable per week following the amount fixed for civilian workers in the first instance. The duration of the policy was later extended and the amount of benefit varied. In respect of civilian workers it was at first contemplated that the non-contributory scheme—known as the Unemployment Donation Scheme—should be limited to munitions workers. This was, however, found to be impracticable, and a general scheme applicable to all civilian workers was ultimately devised. The benefits were on a generous scale, because it was felt that a benefit in the neighbourhood of 15*s.* was impossible in view of the point that the cost of living and wages, marching with the cost, had reached. The benefits were accordingly fixed at 30*s.* for men and 25*s.* for women, with 2*s.* 6*d.* per week for dependants. It was contemplated that the scheme would last for some three months. It was, however, found necessary to extend it frequently, though in the later extensions the benefits and the numbers of persons entitled were largely reduced. This scheme was the subject of general criticism, on the grounds that the high benefits deterred workpeople from seeking work, that it was widely abused, and that it was extremely expensive. Its expense could hardly be denied. That it was being widely abused and wastefully administered was denied by a Committee

¹ The Insurance Act (Part II) of 1911 applied only to seven trades : engineering, shipbuilding, ironfounding, building, construction of works, construction of vehicles, and sawmilling. It had been extended during the War to cover munitions workers.

of Inquiry, which examined the subject exhaustively. The third criticism was difficult either to prove or disprove. In any case the scheme was ultimately superseded by the introduction of one based upon contributory unemployment insurance. This was no doubt belated, but the failure to introduce it when its introduction might have avoided the necessity of an 'unemployment donation' scheme must be laid at the doors of the War, which demanded of the Government its whole and unremitting attention.

On the side of Labour Regulation the problem was in some aspects simpler. The whole of the control provisions were limited to the war period, and disappeared with it. Controlled establishments disappeared, and with them restrictions on the movement of wages, Orders affecting women's wages, disciplinary provisions based on penalties, and abolition of Trade Union privileges. Part I of the Munitions Act of 1915, with the prohibition of strikes and lock-outs and the provision for compulsory arbitration, also disappeared. But, though the machinery had gone, the problem remained. The War had altered not only the mechanism of industry but its psychology. A new and hazardous period was opening out in which all the problems that the War had provoked, and to a certain extent by reason of its mere existence kept within bounds, might manifest themselves unbridled in the difficult period of transition, with ex-service men unsettled by military experience and civilians accustomed to the comparatively high wages of the war period finding themselves unemployed in large numbers. It was imperative that plans should be devised and action taken to meet a situation which, if left to itself, might prove as menacing to the commonwealth as the War itself.

The Ministry of Labour had accordingly occupied itself with proposals for dealing with this interim period. There was first the question of the prohibition of strikes and lock-outs and of the continuance of compulsory arbitration. So far as the former were concerned it was generally agreed that the prohibition must go with the War. The Treasury Agreement had proceeded on the assumption that this would be so, and therefore, even if it had been practicable in face of Labour opinion to maintain the prohibition, there was a binding obligation to remove it. This point, therefore, did not require consideration. The case of compulsory

arbitration was different. The value of such arbitration had been proved up to the hilt during the War, and to lose so considerable an instrument might well be a retrograde step. On the other hand Labour opinion, at any rate among the great Unions, was solidly arrayed against it, and it was clearly the complement of the prohibition of strikes and lock-outs. But if compulsory arbitration must go, there was no reason why the principle of voluntary arbitration should not live and flourish. A compromise was devised in the Wages (Temporary Regulation) Act of 1918. This Act provided for the continuance of compulsory arbitration so far as wages regulated by the Act were concerned. On the termination of the Act (which had been twice extended) in September 1920, compulsory arbitration finally disappeared. But the Industrial Court—the successor of the Committee on Production—remained to be constituted by the Industrial Courts Act as a central voluntary arbitration tribunal, endowed with the tradition of respect and authority acquired by the Committee on Production.

So far as wages were concerned, the Ministry of Labour approached the problem in three ways. That this problem was a grave and difficult one could not be doubted. By the operation of war necessity and compulsory Government regulation, wages had been advanced often by 100 per cent. (and sometimes more) over pre-war standards. A sudden withdrawal of the causes that led to these increases might conceivably have produced a landslide, with the gravest industrial reactions. The three steps taken by the Government to avoid this were the creation of Whitley Councils, the passing of the Trade Boards Act, 1918, and the passing of the Wages (Temporary Regulation) Act. The Whitley Councils, as they are known from the name of the chairman of the Committee which devised them, or the Joint Industrial Councils, as they are officially called, were the result of recommendations made by a Reconstruction Committee on the Relations of Employers and Employed. The Committee sat, as stated, under the chairmanship of the present Speaker—the Right Hon. J. H. Whitley, M.P.—and was composed of leading employers and Trade Unionists. Faced with the question of the whole basis upon which industry should be conducted after the War, the

Committee refrained from attempting to suggest a new organization of society. They devoted themselves to considering how, given the existing system, industrial harmony could be attained and perpetuated. The War had immensely stimulated organization on both sides. Employers' Associations were springing up in trades where these had not existed, existing Associations were amalgamating and assuming a more national character. On the side of labour Trade Union membership had doubled, and Trade Unions, like Employers' Associations, were amalgamating and becoming more and more national in scope. Side by side with this development the War had encouraged conference and negotiation between the two sides to an unprecedented extent. The Committee fastened upon these developments as a fundamental and, they hoped, permanent feature of the industrial situation. They proposed to crystallize them in the form of trade parliaments. Each trade, which was sufficiently organized for the purpose, was to have a three-fold organization to manage its affairs. First a national Joint Industrial Council, consisting of equal numbers of employers and employed with a chairman and vice-chairman chosen from the two sides respectively. Secondly, District Committees similarly constituted, but dealing with district questions, with such powers and in such terms as might be agreed by the national body. Finally, Shop Committees for individual establishments, with special functions in respect of local questions that might arise. The Committee believed that such organizations would not merely steady the whole industrial situation, but, what was more, would lead to a continuance of the better industrial conditions produced by the War. The Councils were to deal with wages, hours, conditions, and any other matters which they chose to discuss affecting these trades, and were to be recognized as the official body with which the Government would deal in all labour matters.

The Government accepted the Committee's recommendations, and the Ministry of Labour were charged with the duty of seeing that the new Councils were established in trades where organization rendered their establishment desirable. The Ministry of Labour pressed forward with this work with such success that by November 1919—a year after the Armistice—there were more

than 50 Councils in existence, covering some 3,000,000 workpeople. In addition a certain number of provisional Councils—known as Interim Industrial Reconstruction Committees—had been established in trades which, though regarded as comparatively well organized, presented certain difficulties which required solution before the Joint Industrial Councils could be established.

The second step taken by the Ministry of Labour in respect of wages also followed upon the recommendations of the Whitley Committee. While that Committee recommended voluntary Joint Industrial Councils for industries sufficiently organized to operate them, it recommended a wide extension of the compulsory system of Trade Boards for trades not so organized, both to protect the workers and to provide for these trades a central body for managing the labour affairs of the industry. Acting upon that recommendation, the Minister of Labour (Mr. George H. Roberts, M.P.) introduced a Bill amending the Trade Boards Act, 1909, into Parliament in January 1918. The Bill was passed practically as a non-controversial measure, and altered the powers under the earlier Act in two main respects. Under the original Act Trade Boards could only be applied in trades where wages were 'exceptionally low', and, except in respect of the four trades scheduled to the Act, could only be established by Provisional Order procedure, which meant introducing and carrying a Bill through Parliament by Private Bill procedure.¹ Under the new Act Trade Boards could be established in trades where organization was inadequate to provide effective wage regulation, and could be established by Order of the Minister of Labour, subject to provisions for giving notice and hearing objections.

These two amendments taken together altered the position, but during 1918 no action was taken under the new Act. During 1919 and 1920, however, considerable progress was made, some 50 Boards being added to the 13 which had been set up under the

¹ The composition of the Trade Boards was unaltered by the new Act and their powers little altered. They remained joint bodies of the trade with an independent chairman and two or four other independent members nominated by the Ministry of Labour. They had powers to fix time and piece rates for their trade (these powers were slightly extended by the 1918 Act) which became compulsory upon confirmation by the Minister of Labour. A minor provision, making the rates provisional for the first six months, was repealed by the 1918 Act.

new Act, covering again workpeople in the neighbourhood of 3,000,000.

But no progress had been made with the extension of Trade Boards during 1918. When the Armistice came, therefore, no provision existed for dealing with wages in a large number of unorganized trades. Moreover, even in the organized trades time would have to elapse and conditions become far more normal before employers and employed could hope to settle wages on the pre-war basis of voluntary negotiation. Accordingly, just before the Armistice a Committee was set up, under the chairmanship of Sir John Simon, K.C., M.P., to offer suggestions as to the best action to be taken. The Committee recommended that an Act should be immediately introduced keeping wages at the point they had reached at the Armistice for a period of six months following the passing of the Act, and allowing wages to be substituted for those wages by Order of the Minister of Labour on the advice of the Committee on Production. The proposals were adopted, and the necessary Act introduced and passed.¹ The original period of six months was prescribed in the Act. It was found, however, in practice that this was too optimistic a forecast of a return to industrial stability. The Act was twice renewed, and ultimately expired in September 1920, giving way to the Industrial Courts Act, which restored or rather established the position of central voluntary arbitration.

The restoration of Trade Union conditions, it had been expected, would be a matter equally difficult and necessary. The question of how best to see that the pledges given by the Government and enshrined in the various Munitions of War Acts were redeemed had been considered in 1918 by a Committee under the chairmanship of Sir Stephenson Kent, then member of the Munitions Council for Labour. The Committee were faced with the difficulty that the obligation and the facts of the industrial situation were at odds. The automatic machine had profoundly altered the character of the engineering trade. How could exactly the old Trade Union practices be applied to a completely new set of circumstances? The Committee, however, were clear that the Trade Unions must at least be put in a position in which they

¹ See Appendix 23.

could require the restoration of their conditions, believing that, when they had the power, the Unions would not necessarily or indeed probably use it to disorganize industry, but would rather use it—as they were entitled to do—as an asset in post-war negotiations. Accordingly the Committee recommended the introduction of a further Act clinching and placing beyond doubt the provisions of the Munitions of War Acts. This recommendation was accepted, and a Restoration of War Pledges Act¹ was introduced and passed.

¹ See Appendix 24.

APPENDIX 1

MINISTRY OF MUNITIONS ACT, 1915.

[5 & 6 GEO. 5. CH. 51.]

A. D. 1915.
—

An Act for establishing, in connection with the present War,
a Ministry of Munitions of War, and for purposes incidental
thereto.
[9th June 1915.]

BE it enacted by the King's most Excellent Majesty, by and with
the advice and consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the authority
of the same, as follows :—

Establish-
ment of
Ministry of
Munitions.

1.—(1) For the purpose of supplying munitions for the present war,
it shall be lawful for His Majesty to appoint a Minister of Munitions
who shall hold office during His Majesty's pleasure.

(2) The Minister of Munitions may appoint such secretaries, officers,
and servants as the Minister may determine.

Powers of
Minister.

2.—(1) The Minister of Munitions shall have such administrative
powers and duties in relation to the supply of munitions for the present
war as may be conferred on him by His Majesty in Council, and His
Majesty may also, if he considers it expedient that, in connection with
the supply of munitions, any powers or duties of a Government Depart-
ment or authority, whether conferred by statute or otherwise, should
be transferred to, or exercised or performed concurrently by, the Minister
of Munitions, by Order in Council make the necessary provision for
the purpose, and any Order made in pursuance of this section may
include any supplemental provisions which appear necessary for the
purpose of giving full effect to the Order.

(2) Any Order in Council made under this section may be varied
or revoked by a subsequent Order in Council.

Remunera-
tion and
expenses.

3.—(1) There shall be paid out of money provided by Parliament
to the Minister of Munitions an annual salary not exceeding five thousand
pounds, and to the secretaries, officers, and servants of the Ministry
such salaries or remuneration as the Treasury may from time to time
determine.

(2) The expenses of the Ministry of Munitions to such amount as

may be sanctioned by the Treasury shall be paid out of money provided by Parliament. A.D. 1915.

4.—(1) The Minister of Munitions may adopt an official seal and describe himself generally by the style and title of the Minister of Munitions, and the seal of the Minister shall be officially and judicially noticed and shall be authenticated by the signature of the Minister or of a secretary or some person authorised by the Minister to act in that behalf.

Seal, style,
and acts of
Minister.

(2) Every document purporting to be an Order or other instrument issued by the Minister of Munitions and to be sealed with the seal of the Minister authenticated in manner provided by this section or to be signed by the secretary or any person authorised as aforesaid shall be received in evidence and be deemed to be such Order or instrument without further proof, unless the contrary is shown.

(3) A certificate signed by the Minister of Munitions that any Order or other instrument purporting to be made or issued by him is so made or issued shall be conclusive evidence of the fact so certified.

(4) Where in connection with the undertaking of any duties or powers by the Minister of Munitions it appears to the Minister of Munitions and the department or authority concerned that in any notice, order, contract, or other document the name of the Minister of Munitions should be substituted for the name of any department or authority, or that the name of any officer of the Ministry of Munitions should be substituted for the name of any officer of any such department or authority, the Minister of Munitions may order that the substitution shall take effect, subject to any limitations contained in the order, and, where such an order is made, the notice, order, contract, or document shall have effect in accordance with the order.

5.—(1) The office of Minister of Munitions or of Secretary in the Ministry of Munitions shall not render the holder thereof incapable of being elected to or sitting or voting as a member of the Commons House of Parliament, but not more than two such Secretaries shall sit as members of that House at the same time.

Ability of
Minister and
Secretaries
to sit in
Parliament.

(2) The Minister of Munitions shall take the oath of allegiance and official oath and shall be deemed to be included in the First Part of the Schedule to the Promissory Oaths Act, 1868.

31 & 32 Vict.
c. 72.

6. The office of Minister of Munitions and the Ministry of Munitions shall cease to exist on the termination of a period of twelve months after the conclusion of the present war or such earlier date as may be fixed by His Majesty in Council, and then any appointments made under the powers conferred by this Act shall be determined, and any powers or duties which have been transferred to the Minister of Munitions under this Act shall, without prejudice to any action taken in pur-

Cessation of
Ministry
after the
close of the
war.

A. D. 1915.

Short title
and inter-
pretation.

suance of those powers or duties, revert to the Department or Authority from which they were transferred.

7.—(1) In this Act the expression “munitions of war” and the expression “munitions” mean anything required to be provided for war purposes, and include arms, ammunition, warlike stores or material, and anything required for equipment or transport purposes or for or in connection with the production of munitions.

(2) This Act may be cited as the Ministry of Munitions Act, 1915.

APPENDIX 2¹

MUNITIONS (WAR SERVICE BADGES) RULES, 1915.

PROVISIONAL RULES, DATED JULY 23RD, 1915, MADE UNDER SECTION 8 OF THE MUNITIONS OF WAR ACT, 1915, BY THE MINISTER OF MUNITIONS, AS TO BADGES.

THE Minister of Munitions hereby certifies, under Section 2 of the Rules Publication Act, 1893, that on account of urgency the following Rules should come into operation immediately, and in pursuance of the powers conferred upon him by Section 8 of the Munitions of War Act, 1915, hereby makes the following Rules to come into operation forthwith as Provisional Rules :—

Whereas it is provided by Section 8 of the Munitions of War Act, 1915, that—

- (1) The Minister of Munitions may make rules authorising the wearing of badges or other distinctive marks by persons engaged on munitions work, or other work for war purposes, and as to the issue and return of any such badges or marks, and may by those rules prohibit the use, wearing or issue of any such badges, or any badges or marks indicating or suggesting that any person is engaged on munitions work or work for war purposes, except as authorised by those rules.
- (2) If any person acts in contravention, or fails to comply with any such rules, he shall be guilty of an offence against this Act.

And whereas it is provided by Section 14 of the same Act that any person guilty of such an offence shall be liable in respect of each offence to a fine not exceeding fifty pounds ; the following rules have been made by the Minister of Munitions :—

- (1) The employer of any persons engaged on munitions work or other work for war purposes may make application to the Minister on a form giving the particulars set out in the schedule hereto or such other particulars as the Minister may require from time to time for

¹ Reprinted by permission of the Controller of His Majesty's Stationery Office.

authority to issue war service badges to such persons in accordance with these rules. A.D. 1915.

(2) The Minister may grant such application in respect of all or any of the persons included therein, and may supply war service badges to the employer and authorise their issue by the employer to such persons accordingly (on such condition as he thinks fit).

Provided that he shall not authorise the issue of war service badges to persons engaged otherwise than in a Government establishment, unless, having regard to the occupations in which such persons are employed, he is of opinion that their removal from their present employment is likely to prejudice the production, transport, or supply of Munitions of War, or the successful prosecution of the war.

(3) A person to whom a war service badge has been issued by his employer in accordance with these rules shall be entitled to wear the badge only so long as the authority under which it was issued remains in force and so long as he remains engaged on munitions work or other work for war purposes in the service of that employer, and when for any cause he is no longer entitled to wear the badge, he shall forthwith surrender it to his employer.

(4) An employer to whom war service badges have been supplied by the Minister shall be responsible—

- (a) For issuing such badges in accordance with these rules and the authority given by the Minister ;
- (b) For requiring the surrender of any such badge as soon as the person to whom it was issued ceases to be entitled to wear it ;
- (c) For the custody of any such badges supplied to him but not issued or surrendered to him, and for their return to the Minister if so required.

(5) Any authority given by the Minister to any employer to issue war service badges to any person or persons employed by him may be revoked at any time by notice in writing given to the employer.

(6) No person shall make any false statement for the purpose of securing authority to issue, or for the purpose of obtaining, any war service badge. No person shall issue any war service badge to any person except in accordance with these rules and with authority given to him by the Minister, and no person shall wear such badge unless it has been issued to him by his employer in accordance with these rules. And no such badge shall be sold or bought, pawned or accepted in pawn, or otherwise disposed of or received by any person except in so far as duly authorised.

Provided that where a person in good faith wears a war service badge issued to him by his employer, believing himself to be entitled to do so, he shall not be deemed to have acted in contravention of these rules merely on the ground that the badge was wrongfully issued to him by his employer or that he is no longer entitled to wear it.

A. D. 1915

(7) No person shall, except with the express authority of the Minister, make, sell, issue, or wear any badge similar in form or appearance to any badge supplied or authorised by the Minister, or any colourable imitation thereof, or any badge, or other distinctive mark calculated or intended to suggest that the wearer thereof is engaged on munitions work or other work for war purposes.

(8) Any person to whom before the date of these rules any badge was issued by or with the express authority of the Admiralty or Army Council may, anything in these rules to the contrary notwithstanding, continue to wear such badge so long as he remains in his present employment, until such date, not being earlier than the thirtieth day of September, as the Minister may determine, either generally or in any particular case or class of cases.

(9) Any war service badge supplied by the authority of the Minister of Munitions in accordance with these rules shall remain the property of the Minister and shall be returned to him at any time if so required by him.

(10) In these Rules—

The expression "Minister" means "Minister of Munitions".

The expression "war service badge" means any badge or other distinctive mark authorised by the Minister for the purpose of indicating that the wearer thereof is engaged on munition work or other work for war purposes.

The expression "Government establishment" means any establishment owned by the Crown or of which the governing body is appointed by any Government department.

(11) These Rules may be cited as the Munitions (War Service Badges) Rules, 1915, and shall come into force on the date thereof.

Signed on behalf of the Minister of Munitions this twenty-third day of July, 1915.

H. LLEWELLYN SMITH,
Secretary.

Ministry of Munitions,
6, Whitehall Gardens, S.W.

Schedule.

Particulars to be furnished on application for authority to issue war service badges:—

1. Full name and address of person making application.
2. Number of badges applied for.
3. In the case of an application made on behalf of an establishment not being a Government establishment, occupation, and place of employment of each person employed in respect of whom application is made.

APPENDIX 3

MUNITIONS OF WAR ACT, 1915.

[5 & 6 GEO. 5. CH. 54.]

An Act to make provision for furthering the efficient manu- A.D. 1915.
facture, transport, and supply of Munitions for the present
War ; and for purposes incidental thereto.

[2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

1.—(1) If any difference exists or is apprehended between any employer and persons employed, or between any two or more classes of persons employed, and the difference is one to which this Part of this Act applies, that difference, if not determined by the parties directly concerned or their representatives or under existing agreements, may be reported to the Board of Trade, by or on behalf of either party to the difference, and the decision of the Board of Trade as to whether a difference has been so reported to them or not, and as to the time at which a difference has been so reported, shall be conclusive for all purposes.

Settlement
of labour
differences.

(2) The Board of Trade shall consider any difference so reported and take any steps which seem to them expedient to promote a settlement of the difference, and, in any case in which they think fit, may refer the matter for settlement either in accordance with the provisions of the First Schedule to this Act or, if in their opinion suitable means for settlement already exist in pursuance of any agreement between employer and persons employed, for settlement in accordance with those means.

(3) Where a matter is referred under the last foregoing subsection for settlement otherwise than in accordance with the provisions of the First Schedule to this Act, and the settlement is in the opinion of the Board of Trade unduly delayed, the Board may annul the reference and substitute therefor a reference in accordance with the provisions of the said Schedule.

(4) The award on any such settlement shall be binding both on employers and employed and may be retrospective ; and if any employer, or person employed, thereafter acts in contravention of, or

A. D. 1915.

Prohibition
of lock-outs
and strikes
in certain
cases.

Differences
to which
Part I
applies.

fails to comply with, the award, he shall be guilty of an offence under this Act.

2.—(1) An employer shall not declare, cause or take part in a lock-out, and a person employed shall not take part in a strike, in connexion with any difference to which this Part of this Act applies, unless the difference has been reported to the Board of Trade, and twenty-one days have elapsed since the date of the report, and the difference has not during that time been referred by the Board of Trade for settlement in accordance with this Act.

(2) If any person acts in contravention of this section, he shall be guilty of an offence under this Act.

3. The differences to which this Part of this Act applies are differences as to rates of wages, hours of work, or otherwise as to terms or conditions of or affecting employment on the manufacture or repair of arms, ammunition, ships, vehicles, aircraft, or any other articles required for use in war, or of the metals, machines, or tools required for that manufacture or repair (in this Act referred to as munitions work); and also any differences as to rates of wages, hours of work, or otherwise as to terms or conditions of or affecting employment on any other work of any description, if this Part of this Act is applied to such a difference by His Majesty by Proclamation on the ground that in the opinion of His Majesty the existence or continuance of the difference is directly or indirectly prejudicial to the manufacture, transport, or supply of Munitions of War.

This Part of this Act may be so applied to such a difference at any time, whether a lock-out or strike is in existence in connexion with the difference to which it is applied or not :

Provided that if in the case of any industry the Minister of Munitions is satisfied that effective means exist to secure the settlement without stoppage of any difference arising on work other than on munitions work, no proclamation shall be made under this section with respect to any such difference.

When this Part of this Act is applied to any difference concerning work other than munitions work the conditions of labour and the remuneration thereof prevailing before the difference arose shall be continued until the said difference is settled in accordance with the provisions of this Part of this Act.

PART II.

Controlled
estab-
lish-
ments.

4. If the Minister of Munitions considers it expedient for the purpose of the successful prosecution of the war that any establishment in which munitions work is carried on should be subject to the special provisions as to limitation of employers' profits and control of persons employed and other matters contained in this section, he may make an

order declaring that establishment to be a controlled establishment, A.D. 1915, and on such order being made the following provisions shall apply thereto :—

- (1) Any excess of the net profits of the controlled establishment over the amount divisible under this Act, as ascertained in accordance with the provisions of this Act, shall be paid into the Exchequer.
- (2) Any proposal for any change in the rate of wages, salary, or other emoluments of any class of persons employed in the establishment, or of any persons engaged in the management or the direction of the establishment (other than a change for giving effect to any Government conditions as to fair wages or to any agreement between the owner of the establishment and the workmen which was made before the twenty-third day of June, nineteen hundred and fifteen), shall be submitted to the Minister of Munitions, who may withhold his consent within fourteen days of the date of the submission :

Provided that if the Minister of Munitions so directs, or if the Minister's consent is withheld and the persons proposing the change so require, the matter shall be referred for settlement in accordance with the provisions of the First Schedule to this Act, and the consent of the arbitration tribunal, if given, shall in that case have the same effect as the consent of the Minister of Munitions.

If the owner of the establishment or any contractor or sub-contractor employing labour therein makes any such change, or attempts to make any such change, without submitting the proposal for the change to the Minister of Munitions or when the consent of the Minister has been withheld, he shall be guilty of an offence under this Act.

- (3) Any rule, practice, or custom not having the force of law which tends to restrict production or employment shall be suspended in the establishment, and if any person induces or attempts to induce any other person (whether any particular person or generally) to comply, or continue to comply, with such a rule, practice, or custom, that person shall be guilty of an offence under this Act.

If any question arises whether any rule, practice or custom is a rule, practice or custom which tends to restrict production or employment, that question shall be referred to the Board of Trade, and the Board of Trade shall either determine the question themselves or, if they think it expedient or either party requires it, refer the question for settlement in accordance with the provisions contained in

A.D. 1915.

the First Schedule to this Act. The decision of the Board of Trade or arbitration tribunal, as the case may be, shall be conclusive for all purposes.

- (4) The owner of the establishment shall be deemed to have entered into an undertaking to carry out the provisions set out in the Second Schedule to this Act, and any owner or contractor or sub-contractor who breaks or attempts to break such an undertaking shall be guilty of an offence under this Act.
- (5) The employer and every person employed in the establishment shall comply with any regulations made applicable to that establishment by the Minister of Munitions with respect to the general ordering of the work in the establishment with a view to attaining and maintaining a proper standard of efficiency and with respect to the due observance of the rules of the establishment.

If the employer or any person so employed acts in contravention of or fails to comply with any such regulation, that employer or person shall be guilty of an offence under this Act.

- (6) The owners of an establishment shall have power, notwithstanding anything in any Act, Order, or deed under which they are governed, to do all things necessary for compliance with any provisions of this section, and any owner of an establishment shall comply with any reasonable requirements of the Minister of Munitions as to information or otherwise made for the purposes of this section, and, if he fails to do so, shall be guilty of an offence under this Act.

Where in any establishment munitions work is carried on in some part of the establishment but not in other parts, the Minister of Munitions may, if he considers that it is practicable to do so, treat any part of the establishment in which munitions work is not carried on as a separate establishment, and the provisions of this Act shall take effect accordingly.

Supplementary provisions [] to the limitation of the profits of a controlled establishment.

5.—(1) The net profits of a controlled establishment shall be ascertained in accordance with the provisions of this section and rules made thereunder and the amount of profits divisible under this Act shall be taken to be an amount exceeding by one-fifth the standard amount of profits.

(2) The standard amount of profits for any period shall be taken to be the average of the amount of the net profits for the two financial years of the establishment completed next before the outbreak of the war or a proportionate part thereof.

(3) If in any case it appears or is represented to the Minister of Munitions that the net profits or losses of all or any other establishments belonging to the same owner should be brought into account, or that

the average under this section affords or may afford an unfair standard of comparison or affords no standard of comparison, the Minister may, if he thinks just, allow those net profits or losses to be brought into account, or substitute for the average such an amount as the standard amount of profits as may be agreed upon with the owner of the establishment.

The Minister of Munitions may, if he thinks fit, and shall, if the owner of the establishment so requires, refer the matter to be determined by a referee or board of referees appointed or designated by him for the purpose, and the decision of the referee or board shall be conclusive on the matter for all purposes.

(4) The Minister of Munitions may make rules for carrying the provisions of this section into effect, and these rules shall provide for due consideration being given in carrying out the provisions of this section as respects any establishment to any special circumstances such as increase of output, provision of new machinery or plant, alteration of capital or other matters which require special consideration in relation to the particular establishment.

6.—(1) If any workman in accordance with arrangements made by the Minister of Munitions with or on behalf of trade unions enters into an undertaking with the Minister of Munitions that he will work at any controlled establishment to which he may be assigned by the Minister, and be subject to the penalty imposed by this Act if he acts in contravention of or fails to comply with the undertaking, that workman shall if he acts in contravention of or fails to comply with his undertaking be guilty of an offence under this Act.

Voluntary
undertaking
to work for
Minister of
Munitions.

(2) If any employer dissuades or attempts to dissuade a workman in his employment from entering into an undertaking under this section, or retains or offers to retain in his employment any workman who has entered into such an undertaking after he has received notice from the Minister of Munitions that the workman is to work at some other establishment, that employer shall be guilty of an offence under this Act.

7.—(1) A person shall not give employment to a workman, who has within the last previous six weeks, or such other period as may be provided by Order of the Minister of Munitions as respects any class of establishment, been employed on or in connexion with munitions work in any establishment of a class to which the provisions of this section are applied by Order of the Minister of Munitions, unless he holds a certificate from the employer by whom he was last so employed that he left work with the consent of his employer or a certificate from the munitions tribunal that the consent has been unreasonably withheld.

Prohibition
of the em-
ployment of
persons who
have left
work in
munition
factories

(2) If any workman or his trade union representative complains to a munitions tribunal in accordance with rules made with respect to those tribunals that the consent of an employer has been unreasonably

A.D. 1915.

withheld that tribunal may, after examining into the case, if they think fit, grant a certificate which shall, for the purposes of this section, have the same effect as a certificate from the employer.

(3) If any person gives employment in contravention of the provisions of this section, he shall be guilty of an offence under this Act.

Rules as to badges.

8.—(1) The Minister of Munitions may make rules authorising the wearing of badges or other distinctive marks by persons engaged on munitions work or other work for war purposes, and as to the issue and return of any such badges or marks, and may by those rules prohibit the use, wearing or issue of any such badges or of any badges or marks indicating or suggesting that any person is engaged on munitions work or work for war purposes except as authorised by those rules.

(2) If any person acts in contravention of, or fails to comply with any such rules, he shall be guilty of an offence against this Act.

Application of Part II to docks used by Admiralty.

9. This Part of this Act shall apply to any docks used by the Admiralty for any purposes connected with the war as it applies to establishments in which munitions work is carried on, with the substitution in relation to any such docks or persons employed in any such docks of the Admiralty for the Minister of Munitions.

PART III.

Amendment of the Defence of the Realm (Amendment) No. 2 Act, 1915. 5 Geo. 5. c. 37.

10. The following paragraph shall be substituted for paragraph (d) set out in subsection (1) of section one of the Defence of the Realm (Amendment) No. 2 Act, 1915, and shall be deemed to have been contained in that Act, namely :—

(d) to regulate or restrict the carrying on of any work in any factory, workshop, or other premises, or the engagement or employment of any workman or all or any classes of workmen therein, or to remove the plant therefrom with a view to maintaining or increasing the production of munitions in other factories, workshops, or premises, or to regulate and control the supply of metals and material that may be required for any articles for use in war.

Power to require information from employers.

11.—(1) The owner of any establishment in which persons are employed shall, if so required by the Minister of Munitions, give to the Minister such information, in such form and in such manner, as the Minister may require as to

- (a) the numbers and classes of persons employed or likely to be employed in the establishment from time to time ;
- (b) the numbers and classes of machines at any such establishment ;
- (c) the nature of the work on which any such persons are employed, or any such machines are engaged, from time to time ;
- (d) any other matters with respect to which the Minister may desire information for the purpose of his powers and duties ;

and the Minister may arrange with any other Government department A.D. 1915.
for the collection of any such information.

(2) If the owner of any establishment fails to comply with this section he shall be guilty of an offence under this Act.

12. If any employer, or the owner of any establishment or any workman, for the purpose of evading any provision of this Act, makes any false statement or representation, or gives any false certificate, or furnishes any false information, he shall be guilty of an offence under this Act.

Punishment
for false
statements,
&c.

13. There shall be paid out of moneys provided by Parliament to any person being a member of an arbitration tribunal, munitions tribunal, or board of referees under this Act, or being a referee under this Act, and to any other officers required in connexion with any such tribunal or board, such remuneration and travelling or other expenses (including compensation for loss of time) as the Minister of Munitions or Board of Trade, as the case may be, with the sanction of the Treasury may determine.

Payment of
members of
arbitration
and munitions
tribunals, &c.

14.—(1) Any person guilty of an offence under this Act—

Penalties.

- (a) shall, if the offence is a contravention of or failure to comply with an award, be liable to a fine not exceeding five pounds for each day or part of a day during which the contravention or failure to comply continues, and, if the person guilty of the offence is an employer, for each man in respect of whom the contravention or failure takes place ; and
- (b) shall, if the offence is a contravention of the provisions of this Act with respect to the prevention of lock-outs, be liable to a fine not exceeding five pounds, in respect of each man locked out, for each day or part of a day during which the contravention continues ; and
- (c) shall, if the offence is a contravention of the provisions of this Act with respect to the prohibition of strikes, be liable to a fine not exceeding five pounds for each day or part of a day during which the contravention continues ; and
- (d) shall, if the offence is a contravention of or failure to comply with any regulations in a controlled establishment or any undertaking given by a workman under Part II of this Act, be liable in respect of each offence to a fine not exceeding three pounds ; and
- (e) shall, if the offence is a contravention of or failure to comply with any other provisions of this Act, be liable in respect of each offence to a fine not exceeding fifty pounds.

(2) A fine for any offence, under this Act, shall be recoverable only before the munitions tribunal established for the purpose under this Act.

A.D. 1915.

—
Munitions
tribunals.

15.—(1) The munitions tribunal shall be a person, appointed for the purpose by the Minister of Munitions, sitting with two or some other even number of assessors, one half being chosen by the Minister of Munitions from a panel constituted by the Minister of Munitions of persons representing employers and the other half being so chosen from a panel constituted by the Minister of Munitions of persons representing workmen, and the Minister of Munitions may constitute two classes of munitions tribunals, the first class having jurisdiction to deal with all offences and matters under this Act, the second class having jurisdiction, so far as offences are concerned, to deal only with any contravention of, or failure to comply with, any regulation made applicable to a controlled establishment or any undertaking given by a workman under Part II of this Act.

The Admiralty shall be substituted for the Minister of Munitions under this provision as the authority to appoint and choose members of a munitions tribunal to deal with offences by persons employed in any docks declared to be controlled establishments by the Admiralty.

(2) The Minister of Munitions or the Admiralty shall constitute munitions tribunals as and when occasion requires.

(3) Rules may be made for regulating the munitions tribunals or either class of munitions tribunals so far as relates to offences under this Act by a Secretary of State, and so far as relates to any other matters which are referred to them under this Act by the Minister of Munitions, and rules made by the Secretary of State may apply, with the necessary modifications, any of the provisions of the Summary Jurisdiction Acts or any provisions applicable to a court of summary jurisdiction, which it appears expedient to apply, and any provisions so applied shall apply to munitions tribunals accordingly.

In the application of this provision to Scotland the Secretary for Scotland shall be substituted for the Secretary of State, and in the application of this provision to Ireland the Lord Lieutenant shall be substituted for the Secretary of State.

(4) A person employed or workman shall not be imprisoned in respect of the non-payment of a fine imposed by a munitions tribunal for an offence within the jurisdiction of a tribunal of the second class, but that tribunal may, without prejudice to any other available means of recovery, make an order requiring such deductions to be made on account of the fine from the wages of the person employed or workman as the tribunal think fit, and requiring the person by whom the wages are paid to account for any sums deducted in accordance with the order.

16. Any company, association, or body of persons shall have power, notwithstanding anything contained in any Act, order, or instrument by or under which it is constituted or regulated, to carry on munitions work during the present war.

Power for
companies
to carry on
munitions
work.

17. Any rule made under this Act shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled, His Majesty in Council may annul the rule and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

A.D. 1915.

Rules to be
laid before
Parliament.

18. The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Minister of Munitions in like manner as if that Minister were mentioned in the first column of the Schedule to the first-mentioned Act, and as if that Minister, or a secretary in the Ministry or any person authorised by the Minister to act on his behalf, were mentioned in the second column of that Schedule, and as if the regulations referred to in those Acts included any document issued by the Minister.

Application]
of Docu-
mentary
Evidence
Acts to
Ministry of
Munitions.
31 & 32 Vict.
c. 37.
45 & 46 Vict.
c. 9.

19. In this Act, unless the context otherwise requires,—

- (a) The expression "lock-out" means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him in consequence of a dispute, done with a view to compelling those persons, or to aid another employer in compelling persons employed by him, to accept terms or conditions of or affecting employment :
- (b) The expression "strike" means the cessation of work by a body of persons employed acting in combination, or a concerted refusal or a refusal under a common understanding of any number of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling their employer or any person or body of persons employed, or to aid other workmen in compelling their employer or any person or body of persons employed, to accept or not to accept terms or conditions of or affecting employment.

Interpre-
ation.

20.—(1) This Act may be cited as the Munitions of War Act, 1915.

Short title
and duration.

(2) This Act shall have effect only so long as the office of Minister of Munitions and the Ministry of Munitions exist :

Provided that Part I of this Act shall continue to apply for a period of twelve months after the conclusion of the present war to any difference arising in relation to the performance by the owner of any establishment of his undertaking to carry out the provisions set out in the Second Schedule to this Act notwithstanding that the office of Minister of Munitions and the Ministry of Munitions have ceased to exist.

A. D. 1915.

SCHEDULES.

SCHEDULE I

Sections 1, 4. 1. Any difference, matter or question to be referred for settlement in accordance with the provisions of this Schedule shall be referred to one of the three following arbitration tribunals :—

- (a) The Committee appointed by the First Lord of the Treasury known as the Committee on Production ; or
- (b) A single arbitrator to be agreed upon by the parties or in default of agreement appointed by the Board of Trade ; or
- (c) A court of arbitration consisting of an equal number of persons representing employers and persons representing workmen with a chairman appointed by the Board of Trade.

2. The tribunal to which the reference is made shall be determined by agreement between the parties to the difference or in default of such agreement by the Board of Trade.

3. The Arbitration Act, 1889, shall not apply to any reference under the provisions of this Schedule.

SCHEDULE II

Sections 4(4), 20. 1. Any departure during the war from the practice ruling in the workshops, shipyards, and other industries prior to the war, shall only be for the period of the war.

2. No change in practice made during the war shall be allowed to prejudice the position of the workmen in the owners' employment, or of their trade unions in regard to the resumption and maintenance after the war of any rules or customs existing prior to the war.

3. In any readjustment of staff which may have to be effected after the war priority of employment will be given to workmen in the owners' employment at the beginning of the war who have been serving with the colours or who were in the owners' employment when the establishment became a controlled establishment.

4. Where the custom of a shop is changed during the war by the introduction of semi-skilled men to perform work hitherto performed by a class of workmen of higher skill, the time and piece rates paid shall be the usual rates of the district for that class of work.

5. The relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job. In cases where men who ordinarily do the work are adversely affected thereby, the necessary readjustments shall be made so that they can maintain their previous earnings.

6. A record of the nature of the departure from the conditions prevailing when the establishment became a controlled establishment shall be kept, and shall be open for inspection by the authorised representative of the Government.

7. Due notice shall be given to the workmen concerned wherever practicable of any changes of working conditions which it is desired to introduce as the result of the establishment becoming a controlled establishment, and opportunity for local consultation with workmen or their representatives shall be given if desired.

8. All differences with workmen engaged on Government work arising out of changes so introduced or with regard to wages or con-

ditions of employment arising out of the war shall be settled in accordance with this Act without stoppage of work.

A. D. 1915.

9. Nothing in this Schedule (except as provided by the fourth paragraph thereof) shall prejudice the position of employers or persons employed after the war.

APPENDIX 4

MUNITIONS OF WAR (AMENDMENT) ACT, 1916.

[5 & 6 GEO. 5. CH. 99.]

An Act to amend the Munitions of War Act, 1915.

A. D. 1916.

[27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Minister of Munitions may by order declare any establishment or establishments belonging to or under the control of His Majesty or any Government Department in which munitions work is carried on to be a controlled establishment or controlled establishments as the case may be, and thereupon the provisions of the Munitions of War Act, 1915 (hereinafter referred to as "the principal Act"), and this Act relating to controlled establishments shall apply to such an establishment or establishments subject to such modifications and exceptions necessary to adapt those provisions to such an establishment or establishments as may be specified in such order.

Power to
declare Go-
vernment
factories, &c.
controlled
establish-
ments.
5 & 6 Geo. 5
c. 54.

2. Subsection (2) of section one of the principal Act shall have effect as if after the words "in any case in which they think fit may" there were inserted the words "and in the case where the difference is "a difference between an employer and persons employed which appears "to the Board of Trade a bona fide difference and which the Board "have failed to settle by such steps as aforesaid, shall within twenty- "one days from the date of the report."

Amendment
of section
one of
principal
Act.

3.—(1) Where a workman has entered into an undertaking with the Minister of Munitions under section six of the principal Act, and was at the time of entering into that undertaking in the employment of any employer, then if that employer within the period of six weeks from the date of the undertaking dismisses that workman from his employment, he shall be guilty of an offence under the principal Act,

Amendment
of section six
of principal
Act.

A. D. 1916.

and shall be liable to a fine not exceeding five pounds, unless he proves that there was reasonable cause for dismissing the workman.

(2) It is hereby declared that where the fulfilment by any workman of any contract is interfered with by the necessity on his part of complying with an undertaking entered into by him under section six of the principal Act, that necessity is a good defence to any action or proceedings taken against that workman in respect of the non-fulfilment of the contract so far as it is due to the interference, and he shall be entitled to enter into such an undertaking notwithstanding the existence of such a contract.

(3) Section six of the principal Act shall apply to a workman who had before the passing of the principal Act entered into an undertaking of the nature mentioned in that section in like manner as if the undertaking had been entered into in pursuance of that section.

Offences by employers in connection with munitions workers assigned to them.

4. Where a person who has been temporarily released from naval or military service for the purpose of employment on or in connection with munitions work, or a workman who has entered into an undertaking with the Minister of Munitions under section six of the principal Act, or to whom that section is applied by this Act, has been assigned to any employer, and that employer has entered into an undertaking with the Minister of Munitions as to the class or description of work on or in connection with which the person or workman so assigned to him is to be employed, then, if the employer acts in contravention of or fails to comply with any of the provisions of the undertaking, he shall be guilty of an offence under the principal Act and liable to a fine not exceeding five pounds.

Amendment of section seven of principal Act.

5.—(1) Section seven of the principal Act shall have effect as if for subsections (1) and (2) of that section the following two subsections were substituted :—

“(1) A person shall not give employment to a workman who has within the last previous six weeks, or such other period as may be provided by order of the Minister of Munitions respecting any class of establishment, been employed on or in connection with munitions work in any establishment of a class to which the provisions of this section are applied by order of the Minister of Munitions, unless he holds a certificate from the employer by whom he was last so employed or from a munitions tribunal that he is free to accept other employment.

“(2) If any workman or his trade union representative complains to a munitions tribunal, in accordance with rules made with respect to those tribunals, that an employer has unreasonably refused or neglected to issue such a certificate as aforesaid, that tribunal may, after examining into the case, if it

thinks fit, itself issue such a certificate or order the issue of A.D. 1916.
such a certificate by the employer."

(2) Where a workman employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act are for the time being applied by an order made thereunder is dismissed or discharged by his employer, the employer shall forthwith give him such a certificate as aforesaid, and if he fails to do so, a munitions tribunal may, in addition to issuing or ordering the issue to him of such a certificate, order the payment to him by the employer of such sum, not exceeding five pounds, as the tribunal may think fit, unless the tribunal is of opinion that the workman was guilty of misconduct for the purpose of obtaining dismissal or discharge.

This subsection shall apply to a workman who applies for a certificate on the ground that he has for a period of more than two days been given no opportunity of earning wages, or who leaves his employment on account of conduct on the part of the employer, or any agent of the employer, which would justify the immediate termination by the workman of his contract of service, in like manner as if he had been dismissed or discharged by his employer.

(3) Where a contract of service with a workman employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act are for the time being applied by an order made thereunder is terminated by dismissal, and less than one week's notice, or wages in lieu of notice, has or have been given, the employer shall, subject to the provisions of this subsection, within twenty-four hours of giving notice of dismissal to the workman report the matter in such manner as may be prescribed by rules made by the Minister of Munitions, and such rules shall provide for the determination by a munitions tribunal (in case of difference) of the amount, if any, and not in any case exceeding five pounds, which is to be paid by the employer to the workman in lieu of notice, and for the payment of the sum so determined to the workman, unless the tribunal is of opinion that owing to the discontinuous or temporary nature of the employment or misconduct of the workman the employer had reasonable cause for dismissing the workman without a week's notice :

Provided that nothing in this subsection shall apply to workmen engaged in ship repairing, or to any class of workmen exempted in the prescribed manner on the ground that the circumstances of their employment were such that the provisions of this subsection ought not to apply to them.

(4) The provisions of section seven of the principal Act which prohibit the giving of employment to workmen in the circumstances mentioned in that section shall not apply so as to prevent the giving of

A. D. 1916.

employment to a workman in a controlled establishment to which he has been assigned by the Minister of Munitions in pursuance of section six of the principal Act.

(5) In determining whether the grant of a certificate has been unreasonably refused for the purposes of section seven of the principal Act as amended by this section, a munitions tribunal shall take into consideration the question whether the workman has left or desires to leave his work for the purpose of undertaking any class of work in which his skill or other personal qualifications could be employed with greater advantage to the national interests, and whether the employer has failed to observe the conditions laid down in the fair wages clauses required by resolution of the House of Commons to be inserted in Government contracts, and whether the workman has left or desires to leave his work because he has recently completed a term of apprenticeship or period of learning his trade or occupation and desires to obtain the full standard rate of wages applicable to fully qualified workmen in his trade or occupation.

(6) The Minister of Munitions may make rules for carrying section seven of the principal Act as amended by this section into effect, and in particular may by such rules provide—

- (a) for the issue, form, custody, duration, delivery up, and replacement in case of loss or destruction, of certificates ;
- (b) for the issue of certificates to persons not engaged on or in connection with munitions work ;
- (c) for prohibiting the insertion in a certificate issued by an employer of any matter other than the prescribed particulars ; and may provide for any breach of such rules being punishable as an offence under the principal Act with a fine not exceeding five pounds.

(7) This section shall not come into operation until such date as may be fixed by the rules made thereunder.

Rates of
wages of
women em-
ployed on
munitions
work.

6.—(1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act as amended by this Act are for the time being applied by an order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

(2) Any directions given by the Minister of Munitions under this section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if

the order in which the direction is contained was an award made in A.D. 1916, settlement of a difference under Part I of the principal Act.

(3) No direction given under this section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply with the provisions of the Factory and Workshops Acts, 1901 to 1911, or of any orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so however that no person be twice punished for the same offence.

7. The Minister of Munitions shall have power by order to give directions as to the rate of wages, hours of labour, or conditions of employment of semi-skilled and unskilled men employed in any controlled establishment on munitions work being work of a class which, prior to the war, was customarily undertaken by skilled labour, or as to the time rates for the manufacture of complete shell and fuses and cartridge cases in any controlled establishment in which such manufacture was not customary prior to the war; and any direction so given shall be binding on the owner of the establishment, and any contractor or sub-contractor employing labour therein, and the workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I of the principal Act.

3 Edw. 7.
c. 45.

Rates of
wages
of semi-
skilled and
unskilled
labour in
controlled
establish-
ments

8.—(1) The Minister of Munitions may constitute special arbitration tribunals to deal with differences reported under Part I of the principal Act which relate to matters on which the Minister of Munitions has given or is empowered to give directions under the last two preceding sections, and the Board of Trade may refer any such difference for settlement to such tribunal in lieu of referring it for settlement in accordance with the First Schedule to the principal Act.

Establish-
ment of
special
arbitration
tribunals.

(2) The Minister of Munitions may also refer to a special arbitration tribunal so constituted, for advice, any question as to what directions are to be given by him under the said sections.

(3) The tribunal to which matters and questions relating to female workers are to be referred under this section shall include one or more women.

9.—(1) The expression "munitions work" for the purposes of the principal Act and this Act means—

Extension of
definition of
munitions
work.

(a) the manufacture or repair of arms, ammunition, ships, vessels, vehicles, and aircraft, and any other articles or parts of articles (whether of a similar nature to the aforesaid or not) intended or adapted for use in war, and of any other ships or vessels, or classes of ships or vessels, or parts of ships or vessels, which may be certified by the Board of Trade to be

A. D. 1916.

necessary for the successful prosecution of the war, and of any metals, machines, or tools required for any such manufacture or repair, and of the materials, of any class specified in an order made for the purpose by the Minister of Munitions, required for, or for use in, any such manufacture or repair as aforesaid ; and

- (b) the construction, alteration or repair of works of construction and buildings for naval or military purposes, and of buildings in which munitions work is or is intended to be carried on, and the erection of machinery and plant therein, and the erection of houses for the accommodation of persons engaged or about to be engaged on munitions work ; and
- (c) the construction, alteration, repair, or maintenance of docks and harbours and work in estuaries in cases where such construction, alteration, repair, maintenance or work is certified by the Admiralty to be necessary for the successful prosecution of the war ; and
- (d) the supply of light, heat, water, or power or the supply of tramways facilities in cases where the Minister of Munitions certifies that such supply is of importance for the purpose of carrying on munitions work, and the erection of buildings, machinery, and plant required for such supply ; and
- (e) the repair of fire engines and any other fire brigade appliances in cases where the Minister of Munitions certifies that such repair is necessary in the national interest.

(2) In section three of the principal Act there shall be added after the words "affecting employment on," in both places where those words occur, the words "or in connection with," and in the same section the words "the manufacture or repair of arms, ammunition, ships, vehicles, aircraft, or any other articles required for use in war, or of the metals, machines, or tools required for that manufacture or repair "in this Act referred to as" shall be repealed.

(3) This section shall not come into operation until the time fixed by rules made under section five of this Act as the date for the commencement of that section.

**Amendment
of section
nine of prin-
cipal Act**

10. At the end of section nine of the principal Act the following proviso shall be inserted :—

"Provided that the power of making an order applying section seven of this Act to any dock shall rest with the Minister of Munitions and not with the Admiralty."

**Amendment
of section
four of prin-
cipal Act.**

11. Subsection (2) of section four of the principal Act shall be read as if the words "or to any agreement existing before the establishment "became a controlled establishment, between the owner of the establishment and an employee with regard to any periodical increase of

"remuneration" were inserted after the words "nineteen hundred and fifteen." A.D. 1916.

12. For removing doubts it is hereby declared that the expressions "workman" and "workmen," wherever they occur in the principal Act and this Act, include not only persons whose usual occupation consists in manual labour, but also foremen, clerks, typists, draughtsmen, and other persons whose usual occupation consists wholly or mainly in work other than manual labour.

Explanation
of term
"workman."

13. Subsection (4) of section fifteen of the principal Act shall be read as if the words "of the second class" were struck out.

14. For section twelve of the principal Act the following section shall be substituted :—

Amendment
of section
fifteen of
principal Act.
Punishment
for false
statements,
&c.

"**12.** If any person makes any false statement or representation, or gives any false certificate, or furnishes any false information—

- (a) for the purpose of evading any provision of this Act ; or
- (b) in any proceedings before any munition tribunal, arbitration tribunal, referee, or board of referees under this Act or the rules made thereunder ; or
- (c) to the Minister of Munitions or any officer employed by him, for the purpose of obtaining or retaining employment, or of obtaining or retaining the services of any workman ;

or if any person alters or tampers with a certificate given under section seven of this Act, or personates or falsely represents himself to be a person to whom such a certificate has been given, or allows any other person to have possession of any such certificate issued for his use alone, he shall be guilty of an offence and liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months or to a fine not exceeding fifty pounds."

15. Where non-union labour is introduced during the war into any class of work in a controlled establishment in which it was the practice prior to the war to employ union labour exclusively the owner of the establishment shall be deemed to have undertaken that such introduction shall only be for the period of the war, and if he breaks or attempts to break such an undertaking he shall be guilty of an offence under the principal Act and liable to a fine not exceeding fifty pounds ; but subject as aforesaid such introduction shall not be deemed to be a change of working conditions.

Restriction
on change
from union
to non-union
labour.

16.—(1) In subsection (1) of section eleven of the principal Act, which specifies the matters in respect of which owners of establishments in which persons are employed are, if required by the Minister of

Extension
of section
eleven of
principal
Act.

A.D. 1916.

Munitions, to give information, the following paragraph shall be inserted after paragraph (c) :—

(cc) the cost of production of the articles produced or dealt with in the establishment, and the cost of the materials used for such production, and the names and addresses of the persons by whom such materials were supplied or who are under contract to supply them.

(2) If any person, except as authorised by the Minister of Munitions, discloses or makes use of any information given under section eleven of the principal Act, as amended by this or any subsequent enactment, he shall be guilty of a misdemeanour and on conviction be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine, or to both imprisonment and a fine.

Powers of
inspectors.

17.—(1) An inspector appointed by the Minister of Munitions for the purposes of the principal Act shall have power to enter at all reasonable times the premises of any establishment (other than a private dwelling-house not being a workshop) for the purpose of ascertaining whether it is desirable to put in force as respects any establishment or any person employed therein any of the powers of the Minister of Munitions, whether under the principal Act or otherwise, or for the purpose of obtaining any information in connection with the supply of munitions, and to make such examination and inquiry as may be necessary for any such purpose and the owner of the establishment and every person engaged in the management or direction of the establishment shall furnish to any such inspector all such information, and shall produce for inspection all such registers, wages books, and other similar documents, as the inspector may reasonably require.

(2) If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, he shall be guilty of an offence under the principal Act, and shall be liable to a fine not exceeding ten pounds.

(3) Every inspector shall be furnished with a certificate as to his appointment, and on applying for admission to any premises for the purposes of this section shall, if so required, produce such certificate.

Provisions
as to
offences.

18.—(1) All offences which are by or under this Act made offences under the principal Act, other than those for which the maximum fine exceeds five pounds, shall be deemed to be offences with which munitions tribunals of the second class have jurisdiction to deal.

(2) Rules under section fifteen of the principal Act shall provide—
(a) that in proceedings before a munitions tribunal the chairman shall, before giving his decision, consult with the assessors, and in all cases where the assessors are agreed he shall, except as respects questions which appear to the chairman

to be questions of law, give effect to their opinion in his A.D. 1916.
decision;

(b) that where the person or persons by or on behalf of whom or against whom the complaint is made in any proceedings before a munitions tribunal is or are a female worker or two or more female workers, the assessor or one of the assessors chosen from the panel of persons representing workmen shall be a woman.

(3) Decisions of munitions tribunals shall be subject to appeal to such judge of the High Court as may be appointed by the Lord Chancellor for the purpose on any ground which involves a question of law or a question of mixed law and fact, or on any other ground that may be prescribed in rules made by the Lord Chancellor, in such cases and subject to such conditions and in such manner, as may be specified in such rules, and whether by means of the statement of a special case for the opinion of the judge or otherwise; and those rules may provide for such appeals in any classes of cases specified therein being heard and determined in a summary manner and for the fixing, remission, or reduction of any fees and scales of costs, and as to the manner in which effect is to be given to the decision of the judge, and the decision of the judge on any such appeal shall be final and binding on all munitions tribunals.

In the application of this provision to Scotland "High Court" shall mean Court of Session, "Lord Chancellor" shall mean Lord President of the Court of Session, "rules made by the Lord Chancellor" shall mean Act of Sederunt.

In the application of this provision to Ireland "Lord Chancellor" shall mean the Lord Chancellor of Ireland.

(4) In the case of a company being guilty of an offence under the principal Act, every director, manager, secretary, or other officer of the company, who is knowingly a party to the contravention or non-compliance constituting the offence shall also be guilty of the offence and liable to the like fine as the company.

(5) In subsection (3) of section fifteen of the principal Act after the words "so far as relates to offences" there shall be inserted "and the enforcement of orders."

19. In subsection (3) of section five of the principal Act, after the words "affords no standard of comparison" there shall be inserted the words "or that no such average exists," and after the words "if he thinks just, allow," there shall be inserted the words "or require"; and in paragraph nine of the Second Schedule to the principal Act, for the word "fourth," there shall be substituted the word "third." Minor
amendments
of principal
Act.

20. The Minister of Munitions may make arrangements with any other Government department for the exercise and performance by Arrange-
ments

A. D 1916.

with other
departments.

that department of any of his powers and duties under the principal Act or this Act which appear to him to be such as could be more conveniently so exercised and performed, and in such case the department and the officers of the department shall have the same powers and duties for the purpose as are by the principal Act and this Act conferred on the Minister of Munitions and his officers.

Admissibility
in evidence
of certificates
by Board of
Trade.

21. For the purposes of proceedings under section two of the principal Act, a certificate of the Board of Trade purporting to be signed by the President or a secretary or assistant secretary of the Board of Trade, or by a person authorised for the purpose by the President that a difference to which Part I of the principal Act applies has or has not been reported to the Board, and, in cases where such a difference has been reported, as to the date on which it was reported, shall be admissible as evidence of the facts therein stated.

Costs in
vexatious
proceedings.

22.—(1) Where a munitions tribunal dismisses any case under the principal Act or this Act, and it appears to the tribunal that the proceedings were vexatious or frivolous, the tribunal shall, unless it sees good cause to the contrary, award costs to the person against whom the complaint is made, and the costs so awarded shall, unless good cause to the contrary appears, include such sum as compensation for the expenses, trouble, and loss of time incurred in or incidental to the attendance of the person against whom the complaint is made before the tribunal as to the tribunal may seem just and reasonable.

(2) Where a referee or board of referees to whom a matter has, under subsection (3) of section five of the principal Act, been referred by the Minister of Munitions on the requirement of the owner of an establishment, considers that the requirement was unreasonable, the referee or board of referees may order that any costs payable by the owner of the establishment shall be paid out of the amount of profits divisible under the principal Act.

Exclusion of
Arbitration
Act, 1889.
52 & 53 Vict.
c. 49.Effect of
revocation
of orders.Provision as
to rules.
56 & 57 Vict.
c. 66.

23. The Arbitration Act, 1889, shall not apply to any reference to any referee or board of referees under the principal Act or this Act or the rules made thereunder.

24. Where the Minister of Munitions makes an order revoking any order previously made by him under section four of the principal Act, the order so revoked shall, if that order has not been in operation for more than three months and was made under a misapprehension and the revoking order so directs, be treated for all or any of the purposes thereof as if it had never had effect.

25. Rules and regulations made under the principal Act as amended by this Act shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

26. In subsection (2) of section twenty of the principal Act, which relates to the duration thereof, the words "Part I of" shall be repealed.

A. D. 1916.
Duration of
principal
Act.

27. This Act may be cited as the Munitions of War (Amendment) Act, 1916, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited together as the Munitions of War Acts, 1915 and 1916.

Short title.

APPENDIX 5

MUNITIONS OF WAR ACT, 1917.

[7 & 8 GEO. 5. CH. 45.]

An Act to extend and amend the Munitions of War Acts, 1915 and 1916.

[21st August 1917.]

A. D. 1917.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) If at any time during the continuance of the present war the Minister of Munitions considers it necessary, in order to maintain the output of munitions, that directions should be given with respect to the remuneration to be paid for work (being munitions work or work in connection therewith or work in any controlled establishment), which at the time when the directions are given is paid at time rates, he may, subject always and without prejudice to any agreement made between employers and workmen with the consent of the Minister with respect to the remuneration of such work, by order give such directions with respect to the remuneration of such work as he may consider necessary for the purpose of the maintenance or increase of output.

Power to
give direc-
tions as to
remunera-
tion of
certain
classes of
work.

(2) Any contravention of or non-compliance with any such directions shall be punishable in like manner as if the order in which the directions are contained was an award made in settlement of a difference under Part I of the Munitions of War Act, 1915, but where a difference has arisen respecting matters on which the Minister of Munitions has given directions under this section the difference shall be referred to a special arbitration tribunal constituted under section eight of the Munitions of War (Amendment) Act, 1916.

5 & 6 Geo. 5.
c. 54.

(3) Any directions given under this section may be varied from

5 & 6 Geo. 5.
c. 99.

A. D. 1917.

Restriction
on employ-
ment of
workmen
who have
been
engaged on
certain
munition
work.

time to time, but shall not continue in force after the termination of the present war.

2. The Minister of Munitions, on being satisfied that the provisions of section seven of the Munitions of War Act, 1915, as amended by any subsequent enactment, can consistently with the national interests be repealed, may by order repeal those provisions, and thereupon the following provisions shall have effect in lieu thereof :—

(1) It shall not be lawful for a person without the consent of the Minister of Munitions to give employment to a workman who has, since the passing of this Act, been employed—

(a) on or in connection with munitions work of a class specified in paragraph (a) of subsection (1) of section nine of the Munitions of War (Amendment) Act, 1916 ; or

(b) on or in connection with munitions work of any other class which may be specified in an order of the Minister of Munitions

where the work on which he is to be employed is not work on or in connection with munitions work.

The consent of the Minister of Munitions for the purposes of this provision may be given either as respects an individual case or generally as respects work or workmen of any particular class or description :

(2) If any person contravenes this provision he shall be guilty of an offence, triable by a munitions tribunal of the second class, under the Munitions of War Act, 1915, unless he proves that he did not know that, and had taken all reasonable steps to ascertain whether, the workman had been so employed ; but proceedings for such an offence shall not be instituted except by the Minister of Munitions or the Admiralty, or by a person acting on his or their behalf :

(3) A person guilty of such an offence shall be liable to a fine not exceeding five pounds for each day or part of a day during which the contravention continues :

(4) The purpose of ascertaining whether the provisions of this section have been contravened in any establishment shall be included amongst the purposes for which the powers of entry, examination, and enquiry conferred by section seventeen of the Munitions of War (Amendment) Act, 1916, are exercisable.

Termination
of contracts.

3.—(1) If the provisions of section seven of the Munitions of War Act, 1915, as amended by any subsequent enactment, are repealed by an order under this Act a contract of service between an employer and a workman employed on or in connection with munitions work shall, notwithstanding any agreement to the contrary, not be determinable by either party except by a week's notice or on payment of a sum equal to an average week's wages under the contract :

Provided that this section shall not apply—

A. D. 1917.

- (a) where under the contract a longer notice than one week is required;
- (b) in the case of workmen engaged in ship-repairing, or of workmen of any class which is exempted by order of the Minister of Munitions on the ground that the circumstances of their employment were such that the provisions of this section ought not to apply to them, or of workmen whose employment is of a discontinuous or temporary nature;
- (c) in the case of the termination of a contract on the ground of such misconduct on the part of either party or his agent as would justify the immediate termination of the contract by the other party.

(2) Any sum payable in lieu of notice under this section by an employer or workman shall be recoverable before a munitions tribunal of the second class, and payment of a sum adjudged to be paid by such a tribunal in such proceedings shall be enforceable in like manner as payment of a fine imposed by the tribunal.

Nothing in this section shall be construed as affecting the operation of any of the other provisions of the Munitions of War Acts, 1915 to 1917.

4. If the provisions of section seven of the Munitions of War Act, 1915, as amended by any subsequent enactment, are repealed by an order under this Act, section six of the Munitions of War (Amendment) Act, 1916, shall apply to female workers employed on or in connection with munitions work in establishments of all classes, and accordingly in that section the words "of a class to which the provisions of section seven of the principal Act, as amended by this Act, are for the time being applied by an order made thereunder" shall be repealed.

Amendment
of s. 6 of the
Act of 1916.

5.—(1) Where an award as to a change in the rate of wages payable to persons engaged on or in connection with munitions work, or as to hours of work or otherwise as to terms or conditions of, or affecting employment of, persons so engaged, has been made either under Part I of the Munitions of War Act, 1915, or in pursuance of an agreement between representatives of employers and workmen, and the Minister of Munitions is satisfied that the award is binding upon employers employing the majority of the persons engaged on or in connection with munitions work in any trade or branch of a trade either generally or in a particular district, the Minister of Munitions may by order direct that the award shall be binding on all or any other employers and persons so engaged, either without modifications or subject in any particular cases to such modifications contained in the direction as the Minister may consider necessary to adapt the award to the circumstances of such cases, and in particular in order that no such other

Power to
make certain
awards as
to wages
binding on
trades.

A. D. 1917.

employer shall be enabled to pay less wages than are payable in the like circumstances by employers who were originally bound by the award.

(2) Where any such directions are given the award shall be binding not only on the employers and persons so engaged who are affected by the award as originally made, but also, subject to such modifications (if any) as aforesaid, on the other employers and persons so engaged to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable in like manner as if the award and the order in which such directions are contained were an award made in settlement of a difference under Part I of the Munitions of War Act, 1915, and had been made in respect of a dispute affecting such employers and persons so engaged.

Reporting of differences.

6.—(1) The Minister of Labour may make regulations with respect to the reporting of differences under section one of the Munitions of War Act, 1915, and with a view to preventing undue delay in negotiations for settling such differences may by those regulations prescribe the time within which any such difference is to be reported to him.

(2) A difference may be reported under subsection (1) of section one of the Munitions of War Act, 1915, by or on behalf of any Government department ; and accordingly in that subsection after the words "by or on behalf of either party to the difference" there shall be inserted the words "or by or on behalf of any Government department."

Amendment of First Schedule of principal Act.

7. At the end of the First Schedule to the Munitions of War Act, 1915, the following paragraph shall be inserted :—

(4) The tribunal shall make its award without delay, and where practicable within fourteen days from the date of reference.

Restrictions on alteration of piece prices, &c., in controlled establishments.

8.—(1) The undertaking which the owner of a controlled establishment is by virtue of subsection (4) of section four of the Munitions of War Act, 1915, deemed to have entered into shall include an undertaking that piece prices, time allowances, or bonuses on output, or the rates or prices payable under any other system of payments by results, once fixed in the establishment may not be altered except in accordance with any procedure which has been adopted by agreement between the owner of the establishment and the workmen or their representatives and is in force in the establishment at the passing of this Act or by the direction of the Minister of Munitions, which direction shall not be given except in accordance with an agreement between the owner of the establishment and the trade unions representing the workmen affected by the alteration, or failing agreement after consultation with the parties concerned :

Provided that this provision shall not apply where the alteration is made in accordance with the directions as to the rates of wages of female workers given by the Minister of Munitions under section six

of the Munitions of War (Amendment) Act, 1916, nor shall this provision apply to shipbuilding yards or ship-repairing yards, but as respects such yards the Minister of Munitions or the Admiralty may make rules regulating the alteration of the rates or prices payable under systems of payments by results therein.

A.D. 1917.

(2) Where an alteration of the rates or prices payable under a system of payment by results is made in accordance with the provisions of this section, paragraph seven of the Second Schedule to the Munitions of War Act, 1915, shall not apply.

9. No workman employed on or in connection with munitions work shall be discharged on the ground that he has joined or is a member of a trade union, or that he has taken part in any trade dispute, and if any employer discharges a workman on any such ground he shall be guilty of an offence triable by a munitions tribunal of the second class under the Munitions of War Act, 1915, and shall be liable to a fine not exceeding ten pounds, and the tribunal may order that the whole or any part of the fine imposed shall be paid as compensation to the workman :

Penalty on
dismissal of
workman on
ground of
membership
of trade
union.

Provided that nothing in this section shall prejudice any right of action for wrongful dismissal that the workman may have against his employer.

10. Proceedings against a person for contravening or failing to comply with regulations made by the Minister of Munitions under subsection (5) of section four of the Munitions of War Act, 1915, shall not be instituted except by the Minister of Munitions or the Admiralty, or by a person acting on his or their behalf.

Proceedings
under s. 4 (5)
of principal
Act.

11. Section seventeen of the Munitions of War Act, 1915, and section twenty-five of the Munitions of War (Amendment) Act, 1916, shall apply to any order or regulation made under this Act.

Application
of s. 17 of
principal
Act.

12. This Act may be cited as the Munitions of War Act, 1917, and shall be construed as one with the Munitions of War Acts, 1915 and 1916, and this Act and those Acts may be cited together as the Munitions of War Acts, 1915 to 1917.

Short title
and citation.

APPENDIX 6¹

RULES FOR CONSTITUTING AND REGULATING MUNITIONS
 TRIBUNALS MADE IN PURSUANCE OF SECTION 15 OF THE
 MUNITIONS OF WAR ACT, 1915, BY A SECRETARY OF STATE
 AS FAR AS RELATES TO OFFENCES, AND BY THE MINISTER
 OF MUNITIONS AS FAR AS RELATES TO OTHER MATTERS.

The Secretary of State and the Minister of Munitions hereby certify under Section 2 of the Rules Publication Act, 1893, that on account of urgency the following Rules shall come into operation forthwith as Provisional Rules.

PROVISIONS APPLICABLE TO TRIBUNALS OF THE SECOND CLASS

1. A MUNITIONS TRIBUNAL of the second class (hereinafter referred to as a Local Munitions Tribunal) shall consist of a person (hereinafter referred to as the Chairman) appointed for the purpose by the Minister of Munitions sitting with assessors drawn respectively from an employers' panel and from a workmen's panel constituted by the Minister of Munitions in accordance with these rules and duly summoned to serve on such Local Munitions Tribunal.

2. A Local Munitions Tribunal shall have jurisdiction to deal only with complaints that any person has acted in contravention of or failed to comply with regulations made applicable to the controlled establishment in which he is either an employer or is employed or an undertaking into which a workman has entered under Section 6 (1) of the Munitions of War Act, 1915 (hereinafter referred to as the Act), and complaints that an employer has unreasonably withheld his consent under Section 7 of the Act.

3. A Local Munitions Tribunal shall be constituted in accordance with the regulations set out in the first Schedule hereto, being regulations made under Part II of the National Insurance Act, 1911, with reference to Courts of Referees, adapted for the purposes of the Act.

4. Any complaint with which a Local Munitions Tribunal is competent to deal shall be made by any person aggrieved or by or on behalf of the Minister of Munitions in writing to the Chairman of the Local Munitions Tribunal appointed for the district in which the matter arose, or to some other person appointed by him for the purpose.

5. If no sitting of a Local Munitions Tribunal shall previously have been fixed at which such complaint may conveniently and expeditiously be heard, the Chairman shall cause assessors to be summoned to attend a special meeting of the Tribunal in accordance so far as may be with the rota. Notice of the sitting shall be given wherever practicable not less than one week in advance.

¹ Reprinted by permission of the Controller of His Majesty's Stationery Office.

6. Where the complaint relates to an offence under the Act :—

- (i) The Chairman, or some other person appointed as aforesaid, shall (if satisfied that there is a *prima facie* case) issue a notice in the form set out in the second Schedule hereto or such other form as a Secretary of State may determine to the person or persons in respect of whom the complaint is made, to appear before the Tribunal at such place and time as the Chairman may appoint. A notice posted as a registered letter by or on behalf of the Chairman to the last known place of abode of such person or persons shall be deemed to have been duly served.
- (ii) The Chairman or some other person appointed as aforesaid, shall send to the person who has made the complaint notice of the time and place of the hearing.
- (iii) No person shall be fined for an offence under the Act unless he has appeared before the Local Munitions Tribunal or the Tribunal is satisfied that he has had a reasonable opportunity of so appearing.
- (iv) The Tribunal shall for the purpose of adjudicating upon any such complaint have power to take evidence upon oath.
- (v) So far as is consistent with the provisions of the Act and any Rules made thereunder, the provisions of the Summary Jurisdiction Acts and the Criminal Justice Administration Act, 1914, with regard to requiring the attendance of any persons before a Court of Summary Jurisdiction and with regard to the recovery of fines otherwise than by imprisonment, shall apply to proceedings under the Act as though the Local Munitions Tribunal were a Court of Summary Jurisdiction, and as if the Chairman were a Justice of the Peace or other magistrate having jurisdiction in the place where the Court sits, a complaint were an information laid upon oath, a notice to appear were a summons duly issued and served, and an offence under this Act were an offence punishable on summary conviction.
- (vi) Where a fine has been imposed on a person employed or a workman by a Local Munitions Tribunal, that Tribunal may make an order requiring such deductions to be made on account of the fine from the wages of such person employed or workman as the Tribunal think fit and requiring the person by whom the wages are paid to pay to the clerk to the Tribunal or other person appointed for the purpose by the Minister of Munitions any sums so deducted.

7. Where the complaint relates to the withholding of consent by an employer under Section 7 of the Act :—

- (i) The Chairman, or some other person appointed as aforesaid, shall (if satisfied that there is a *prima facie* case) issue a notice in the form set out in the third Schedule hereto, or such other form

as the Minister of Munitions may determine, to the person or persons in respect of whom the complaint is made, to appear before the Tribunal at such place and time as the Chairman may appoint.

- (ii) Notice of the time and place of sitting of the Local Munitions Tribunal to which this complaint will be reported or referred shall be sent to the person by whom the complaint was made so that it would reach him in the ordinary course of post not less than 24 hours before the sitting of the Tribunal, and such person shall be entitled to attend such sitting during the consideration of his case, provided that with the consent of such person the case may be considered by a Local Munitions Tribunal notwithstanding that notice has not been given to him in accordance with this rule.
 - (iii) In any case in which it appears that the evidence of any person is necessary to the decision of the case, the Chairman may direct that such person or persons be summoned to attend the Tribunal, and expenses in respect of such attendance shall be allowed on a scale approved by the Treasury.
8. No party to any proceeding before a Local Munitions Tribunal shall be represented by counsel or solicitor.

PROVISIONS APPLICABLE TO TRIBUNALS OF THE FIRST CLASS

9. A Munitions Tribunal of the first class (hereinafter referred to as a General Munitions Tribunal) shall consist of a person (hereinafter referred to as the Chairman) appointed for the purpose by the Minister of Munitions sitting with assessors drawn respectively from an employers' panel and from a workmen's panel provided for the purpose by the Minister of Munitions and may be constituted generally or for any district specified by the Minister of Munitions.

10. A General Munitions Tribunal shall have jurisdiction to deal with all offences under this Act and any other matters therein specified, but shall not deal with any matter with which a Local Munitions Tribunal is competent to deal unless such matter arises in connexion with a matter with which a Local Munitions Tribunal is not competent to deal, or is for any reason referred to the General Munitions Tribunal by the Minister of Munitions.

11. Any complaint relating to any matter with which a Local Munitions Tribunal is not competent to deal, shall be made in writing by any person aggrieved or by or on behalf of the Minister of Munitions or by any person acting on the instructions general or special of the Minister of Munitions to the Chairman of a General Munitions Tribunal appointed for the district in which the matter arose or to the Minister of Munitions who shall forthwith refer the case to a General Munitions Tribunal.

12. Where the complaint relates to an offence under the Act the provisions of Rule 6 shall apply, subject to the following modifications :—

- (i) The words "General Munitions Tribunal" shall be substituted for the words "Local Munitions Tribunal" wherever they occur.
- (ii) The Chairman, or some other person appointed by him for the purpose, shall (if satisfied that there is a *prima facie* case) issue a notice in the form set out in the fourth Schedule hereto or such other form as a Secretary of State may determine to the person or persons in respect of whom the complaint is made, to appear before the Tribunal at such place and time as the Chairman may appoint.
- (iii) Any person upon whom a fine of £20 or more has been imposed by a General Munitions Tribunal may appeal to a Court of Quarter Sessions, in the same manner as if he were appealing from the conviction of a Court of Summary Jurisdiction.
- (iv) Sub-clause (v) shall be read as if the words "otherwise than by imprisonment" were struck out, except as regards offences within the jurisdiction of a Local Munitions Tribunal.

13. Where the complaint relates to the withholding of consent by an employer under Section 7 of the Act the provisions of Rule 7 shall apply as though the words "General Munitions Tribunal" were substituted for the words "Local Munitions Tribunal."

PROVISIONS APPLICABLE TO BOTH CLASSES OF TRIBUNALS

14. No case shall be heard, tried, or adjudged except in open Court.

15. The Chairman shall consult with his assessors before giving his decision.

16. The question of costs shall be in the absolute discretion of the Chairman, who may order the same to be paid by any party or parties to the proceedings in such manner as he shall direct, and may either assess the amount thereof himself or may refer the same for assessment to any other person appointed by the Minister of Munitions for the purpose. An order for costs may be enforced by the Tribunal in the same way as a fine.

17. The Minister of Munitions shall appoint for each tribunal a clerk, to whom all fines shall be paid; fines shall be paid by him into the Exchequer.

18. Every Tribunal shall keep a register of complaints made to them and proceedings taken by them under the Act, and shall furnish the Minister of Munitions with duplicates thereof when required by him to do so.

19. Subject as aforesaid, the procedure of a Munitions Tribunal shall be such as a Secretary of State or the Minister of Munitions may determine.

20. The Interpretation Act, 1889, shall apply for the purpose of the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

RULES FOR CONSTITUTING AND

21. These Rules may be cited as the Munitions (Tribunals) Rules, 1915, and shall come into force as from the Twelfth day of July, 1915.

SIGNED as far as relates to offences by

JOHN SIMON,

One of H.M. Secretaries of State.

HOME OFFICE,
WHITEHALL, S.W.

SIGNED as far as relates to other matters by

D. LLOYD GEORGE,

Minister of Munitions.

MINISTRY OF MUNITIONS,
6, WHITEHALL GARDENS, S.W.

12th July, 1915.

SCHEDULE I

1. Unless the Minister of Munitions shall otherwise direct, the members of panels of persons representing employers and workmen constituted under Section 90 of the National Insurance Act, 1911, for their respective districts, shall, if willing to serve, be the panels for the purposes of Local Munitions Tribunals for the same districts.

2. The term of office of the Chairman and of the members of the panels shall be such period as the Minister of Munitions may direct.

3. Casual vacancies on the panels, whether of employers or workmen, may be filled by the Minister of Munitions, and any person employed to fill a vacancy shall hold office until the expiration of the period during which the person in whose place he is appointed would have held office. Provided that the Minister shall not be bound to fill any casual vacancy unless he thinks fit so to do, and a panel shall not be deemed to be improperly constituted by reason only that a casual vacancy on the panel has not been filled.

4. Each member of a panel shall, so far as practicable, be summoned to serve in turn upon the Local Munitions Tribunal from a rota prepared in advance. Such summons shall be by notice given not less than one week in advance wherever practicable. Provided that where a meeting of a Local Munitions Tribunal takes place immediately before or after a meeting of a Court of Referees for the same district the members of the employers' and workmen's panels summoned to serve as members of such Court of Referees may be summoned to serve also as assessors on such Tribunal.

5. The Chairman shall be appointed by the Minister of Munitions, and no person who is either an employer or a workman in any trade or group of trades to which the provisions of Part II of the Act apply shall be qualified for appointment as Chairman.

6. In the event of any member of a panel being unavoidably prevented from attending a sitting of a Local Munitions Tribunal at the time when he is summoned in accordance with the rota, any other member of the panel may be summoned in his place.

7. A supplementary Local Munitions Tribunal may be constituted for any district at any time by the Minister of Munitions, and members of the panel for that district may be summoned to attend such Tribunal by one clear day's notice if practicable.

SCHEDULE II NOTICE TO APPEAR

TAKE NOTICE that a complaint having been made against you as set out below by evidence will be taken at a meeting of the Munitions Tribunal to be held at a.m. p.m., on the at , and if you wish to reply to the charge you should attend at the time and place above mentioned, and bring with you any witnesses you desire to call.

If you do not attend the hearing as above and do not send a reasonable excuse, the Tribunal, if satisfied that the complaint alleged below is well founded, is empowered to fine you in your absence to an amount not exceeding £3.

The complaint alleges that

SCHEDULE III NOTICE TO APPEAR

TAKE NOTICE that a complaint having been made against you as set out below by evidence will be taken at a meeting of the Munitions Tribunal to be held at a.m., on the at , and if you wish to reply to the complaint you should attend at the time and place above mentioned, and bring with you any witnesses you desire to call.

The complaint alleges that

SCHEDULE IV NOTICE TO APPEAR

TAKE NOTICE that a complaint having been made against you as set out below by evidence will be taken at a meeting of the General Munitions Tribunal to be held at a.m., on the at

You are hereby requested to reply to the charge at the hearing as above. If you do not attend or send a reasonable excuse, the Tribunal, if satisfied that the complaint alleged below is well founded, is empowered to impose upon you the penalties in the Act provided.

The complaint alleges that

APPENDIX 7

CLYDE MUNITION WORKERS INQUIRY

REPORT

TO THE RIGHT HON. D. LLOYD GEORGE,
Minister of Munitions.

SIR,

1. In pursuance of our appointment by you "to inquire into the causes and circumstances of the apprehended differences affecting munition workers in the Clyde district," qualified by the instruction that we were not to sit as a Court of Appeal from Munitions Tribunals, we have now held 12 meetings in Glasgow and heard a large number of witnesses on behalf of the munition workers, their employers, and the various Trade Unions concerned.

2. One important fact is disclosed by our inquiry so far as it has gone. While the munition workers have certain substantial matters of legitimate complaint, a considerable number of the differences brought before us were not so illustrative of disputes on definite matters of principle under the Munitions of War Act, 1915, between munition workers and employers generally as they were indicative of local friction surrounding the relationship of particular employers and employed, and attending the operation of the Act in the case of certain trades in the service of particular employers.

3. Whenever friction arises in a particular munitions establishment between an employer and his workmen, even although it seems to have no very tangible foundation and to involve no definite principle, but to be largely the outcome of indiscretion or inconsideration on one side or the other, it leads to a state of irritation among organized workers which quickly spreads beyond the boundaries of the establishment where the trouble first arose to other works, and frequently from adventitious causes wholly unconnected with the origin or merits of the dispute it becomes elevated into a question of principle affecting all employers and munition workers generally throughout the district.

4. To deal quickly with the trouble at its source is the only effective method of eradicating industrial differences, which are so apt to gather volume if left long uncontrolled. For these reasons we think it well at this stage in our inquiry without further delay to present to you a report on certain matters which, in particular cases, have contributed to the differences existing in the Clyde District. We understand it is your intention shortly to introduce a Bill to amend the Munitions of War Act, 1915, and we desire that you should have our views and recommendations in regard to these matters.

5. With regard to the matters to which this report is confined we are in a position to make our recommendations at once. They were in the

first instance brought before us by the Trade Union Officials who attended our inquiry in Glasgow. They were brought to the notice of the Employers affected, and we have heard their views upon them. Witnesses in regard to them have been examined and cross-examined at length, both on behalf of the Trade Unions and the Employers, and we are in possession of a large amount of information in regard to them.

CLEARANCE CERTIFICATES

6. The first question is the important one of clearance certificates, and we state below in summarized form some conclusions to which we have so far come :

- (a) It should be provided that no employer shall enter on a clearance certificate given to a dismissed workman the reasons for dismissal.
- (b) An employer should be bound to give a clearance certificate to a dismissed workman immediately on dismissal, unless the workman acted improperly so as to secure dismissal.
- (c) In cases where an employer has unreasonably refused any workman a clearance certificate, jurisdiction should be conferred upon Munitions Tribunals to award the workman reasonable compensation to be paid by the employer for any want of employment suffered by the workman in consequence of the repeal of the certificate. In such a case, if the employer offered the workman continuance of his employment up to the time at which the case is heard by the Munitions Tribunal the latter should have regard to this fact in determining the amount of compensation (if any) to be paid to the workman.
- (d) In cases where a workman has unreasonably proceeded against an employer for a clearance certificate, the Munitions Tribunal should have power to award the employer reasonable costs.
- (e) Where application for a clearance certificate is made by a workman engaged on munitions work to enable him to proceed to other munitions work, the Munitions Tribunal should have regard to the question whether the continuance of the workman in his work, or his proceeding to his proposed work, is most in the interests of the country and award or refuse a certificate accordingly.
- (f) As hardship frequently results when a workman is unable to prove to the satisfaction of an intending munitions employer that he was not within the preceding six weeks employed on munitions work, provision should be made for putting such a workman in possession of a certificate of previous non-munitions employment.
- (g) Where a skilled tradesman is temporarily employed in an unskilled capacity, as for instance as a labourer, he should be given

a clearance certificate if he is desirous of resuming his own skilled tradesman's work with some employer other than the one in whose service he is engaged as a labourer.

- (h) Where a workman is employed in an establishment at such a distance from his home that he is obliged to lodge himself near the establishment, and, at the same time, maintain his home, he should receive his clearance certificate to enable him to take up munitions employment adjoining his own home in every case when he or his Trade Union are able and willing to provide an efficient substitute, and when no substitute is available, in every case when the Munitions Tribunal is of opinion a clearance certificate can be granted without serious detriment to Government work.
- (i) In case a workman claims discharge from any particular class of work on the strength of a medical certificate, the employer should, unless he disputes that certificate, give a clearance certificate. If the employer disputes the medical certificate, the matter should be immediately referred to some standing medical referee nominated for that purpose in the district by the Ministry of Munitions, on whose decision the employer should act. If, on the decision of such referee, a clearance certificate is refused, the workman should still be free to institute proceedings before a Munitions Tribunal for a clearance certificate.
- (j) In cases where a workman claims a clearance certificate on the ground that the employer is not paying the district rate of wages for his trade, the question whether the employer is or is not paying the district rate of wages should at once be reported to the Board of Trade and promptly determined by arbitration under Part I of the Munitions of War Act, 1915. If it is decided that the employer is not paying the district rate of wages and the employer refuses to pay it, a workman desirous of leaving the service of the employer should be entitled to a clearance certificate.
- (k) The mere fact that a workman desires to leave his employment in order to take up work more highly remunerated is not, in our view, sufficient reason to entitle him to a clearance certificate unless the more highly paid work to which he desires to go is, having regard to his qualifications for such work, more important in the interest of the country than the work he desires to leave.
- (l) In cases where a workman demands and the employer refuses a clearance certificate the employer should be bound to give the workman in writing the reason for the refusal of the certificate.
- (m) The present procedure in regard to the giving of clearance certificates is unsatisfactory. The official of the employer by whom

the certificates are granted is not the same official in every establishment. In some cases it is the Foreman, in others the Works Manager, sometimes the Time-keeper, sometimes a special official appointed for the purpose. In our view the certificate should be granted by the same official in every establishment, and that official should be made known and be accessible to the workmen.

7. We think the definition of "munitions work" in the Munitions of War Act, 1915, is too restricted. Employers are forced by the exigencies of the manufacture of munitions to give the term a wider meaning than it bears in the Act. This has led to differences with munitions workers. The definition should be amended so as to include the construction, erection, maintenance, repair and renewal of machinery, plant and appliances required for the manufacture or repair of articles required for use in war, and also of machinery, plant and appliances constituting the power, lighting, water, gas and transport equipment of factories and workshops in which munitions are manufactured.

8. Machinery is required for settling the more important and acute disputes between foremen and workmen. It is essential in the interests of discipline that the lawful authority of the foreman be upheld, and the Trade Unions, we believe, prefer that the employment and dismissal of men should be a matter for the foreman. But it must be recognized that under the conditions of the Munitions of War Act, 1915, situations between foremen and workmen are created which did not arise before the Act, and relations, as a consequence, become frequently strained to breaking-point. We are satisfied it would much conduce to the efficient and harmonious operation of the Act if some procedure were created for determining quickly such disputes.

9. Before the Munitions of War Act, 1915, piece-prices were determined by mutual agreement between employers and workmen. Under the Act, although that position is nominally continued, a workman may in practice be compelled, for a time, to work at piece-prices to which he objects. Works rules should provide for determination locally of any dispute in regard to piece-prices, either under Part I of the Act or in some other prompt and effective manner.

10. An appeal to a skilled and experienced tribunal should be provided from the decisions of both Local and General Munitions Tribunals. The informality of the procedure before these Tribunals, coupled with the fact that frequently neither employer nor workman knows the real facts of the case against him, results in these Tribunals being often deprived of material information in regard to the real issue, which frequently turns out on inquiry to be entirely different from the one on which the case was originally launched. Having regard to the important part played by the Tribunals in the enforcement of the Munitions of War Act, 1915, and to the weight attached to their decisions, we strongly recommend that there

should be means of providing for a re-trial where the interests of justice so require, and for reducing variant local decisions to a uniform principle.

11. An employer should not be allowed to dismiss a munition worker without reasonable cause. The importance to the country of the workman's labour is the reason for the limitations imposed upon his leaving, on his own initiative, his employment on Government work in an establishment to which section 7 of the Munitions of War Act, 1915, has been applied. Precisely the same reason should negative the right of an employer to insist, without reasonable cause, on the workman leaving that employment.

12. Much confusion exists in the minds of munition workers by reason of the absence in most cases of any printed and published statement of the domestic works rules in controlled establishments and other establishments engaged in the manufacture of munitions of war, and disputes are common as to whether an alleged rule is or is not in force, and whether, assuming a rule is in force, workmen have or have not complied with it. In our view, it is essential at the present time that as far as possible there should be uniformity in the domestic rules of all similar establishments in one district, and full and complete publication of those rules in written form, and that the reasonableness (if challenged) of the domestic rules should be a matter to be determined promptly under Part I of the Munitions of War Act, 1915.

13. In the case of a workman engaged on non-munitions work in establishments :—(1) Partly but not mainly engaged in making munitions of war ; (2) mainly engaged in making munitions of war ; (3) controlled —considerable uncertainty prevails as to the position in regard to :—

- (a) Clearance certificates ;
- (b) Obeying domestic works rules ;
- (c) Obeying foreman's orders.

We think that, having regard to the divergent views held by employers and workmen, the position should be made clear by an official statement from the Ministry of Munitions, or, if necessary, by the publication of a rule. The present uncertainty engenders much unnecessary controversy and bad feeling.

14. The hardships imposed upon certain Canadian workmen who were induced to come over to the Clyde District on exaggerated representations of the amount they would earn in making munitions were strongly impressed upon us. The circumstances are regrettable, but it is no part of our duty, nor indeed is it within our power, to find who was responsible for these representations. As the matter is now past and is not likely to recur, it is sufficient, we think, to record the fact for your information.

15. A considerable amount of inconvenience was caused to munition workers in the Clyde District by the Munitions of War Act, 1915, coming into practical operation just about the time of the Glasgow Fair Holidays. This again is a matter of the past which cannot recur, and it is unnecessary

to discuss a number of the cases of hardship that in consequence thereof resulted, but without doubt they tended to create a feeling of unrest throughout the district.

16. A number of cases were brought before us where it was alleged that employers were treating differentially the original tradesmen and the introduced tradesmen in a trade into which other tradesmen had since the War been introduced, as for instance in the allotment of overtime to the introduced tradesmen and the refusal of it to the original tradesmen. We do not think the employers did other than what was necessary under the circumstances of the cases, but those circumstances were such as, without explanation, to create misunderstanding. This class of case is typical of many differences resulting from inadequate explanation to munition workers who feel themselves aggrieved of the reasons and justification for an employer's action. At the same time we think that any arbitrary differentiation in such a case should be in terms prohibited.

17. As we have already observed, many of the differences brought before us would never have grown into disputes affecting the whole of the employers and munitions workers in the Clyde District had they been promptly dealt with in their embryo stage. We have come to the conclusion that if there was some person of experience in industrial matters appointed by you in the Clyde District to act as a mediator or conciliator, with possibly final power in minor matters, accessible with a minimum of delay, the great majority of the disputes we have inquired into would have been prevented, and those not wholly disposed of, localised in their effects.

18. Finally we recommend that imprisonment should be abolished for non-payment of fines inflicted upon a workman by a Munitions Tribunal. In the event of non-payment by the workman of a fine inflicted upon him, or of costs which he has been ordered to pay, the Tribunal should have jurisdiction to order the employer, or successive employers, of the workmen as the case may be, to deduct and dispose of as the Tribunal may direct the total amount thereof from the workman's wages by weekly instalments prescribed by the Tribunal.

19. In adverting to the foregoing matters in this report we desire to make clear that we have not as yet come to any decision on some other questions submitted to us by the Trade Union Officials and the employers. They will form part of the subject of our Final Report.

We have the honour to be,

Your obedient Servants,

(Signed) BALFOUR OF BURLEIGH.
LYNDEN MACASSEY.

APPENDIX 8¹

REPORT OF THE COMMITTEE ON LABOUR EMBARGOES

To the Right Hon. WINSTON S. CHURCHILL, M.P.,
Minister of Munitions.

SIR,

1. THE terms of reference are as follows :

- (1) To investigate and report on the labour conditions which have rendered the embargo necessary, and to advise upon the administration of the scheme.
- (2) To consider and report as to what further measures should be adopted in view of these conditions, to maintain and where necessary increase the output of munitions, due regard being given to the public interest, in the most effective and economical use of labour, money and material.

2. In September we presented an Interim Report in which we investigated the embargo scheme and the labour conditions which led to it, and we stated our view that it was rightly established in the national interest. We also set out the circumstances which led to the unfortunate stoppage of munitions work at Coventry in July last.

3. At the end of the Interim Report we recommended the creation of a joint Committee of a consultative and advisory nature, consisting of workmen and employers, in order to secure confidence and co-operation with respect to any proposed changes or developments in Government policy on Labour matters so far as they touched munitions work. In October that joint committee was appointed and commenced its functions forthwith. We believe that it is capable of exerting a wide and beneficial influence upon the action of Labour Departments of the Government, and we think that the principle it represents is one which can be usefully and widely applied.

4. We resumed our sittings under the terms of reference at the end of September. We have met frequently since that date and have taken the evidence of a large number of witnesses, including representatives of Labour, from many parts of the country.

5. The evidence ranged over a wide field and dealt with various points which affect not only those engaged in the production of munitions, but workmen generally throughout the country.

6. The events which have culminated in the acceptance by Germany of the Allies' terms of armistice have led us to consider our functions. The first head of reference was dealt with by our Interim Report. The second head of reference invited our advice on the measures necessary to increase the output of munitions. The arrival, however, of what we hope will be a lasting Peace has, we feel, rendered superfluous any formal report

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directed solely or strictly to this second head of reference. The problems of the immediate future arise, not as to the steps needed for an increase in the output of munitions of war, but with respect to the well-ordered diminution of that output, and the satisfactory development at the same time of the peace production of industry.

7. In our Interim Report, however, there appears the following passage :—

“ Amongst the matters to which importance was attached by
“ witnesses, and which were alleged to have been the underlying
“ causes of the stoppage, were the following :—

- “(a) That the Government action for the purpose of redeeming the
“ pledges given with regard to the restoration of pre-war con-
“ ditions has been unduly delayed.
- “(b) That a striking difference exists in many cases between the
“ earnings of certain sections of skilled timeworkers and those
“ men and women employed on systems of payment by results
“ who entered their occupations since the beginning of the war
“ as dilutees.
- “(c) That the conditions laid down in the Munitions Acts and Orders
“ thereunder with respect to women’s wages have not been fully
“ observed.
- “(d) Complaints were also made with respect to the recruitment and
“ utilisation in the Army of skilled men.

“ The matters referred to in this paragraph, together with other
“ matters mentioned by the witnesses, will be the subject of further
“ report.”

8. We feel, therefore, that it is desirable to present to you a further statement with respect to the matters expressly referred to in the Interim Report, and with respect to such other points as appear to us to call for useful mention at the present time.

9. We take head (c) first.

WOMEN’S WAGES

As to this, we need only say that on the 30th August last a Committee was appointed by the Government under the Chairmanship of the Honourable Mr. Justice Atkin for the following purpose :—

“ To investigate and report as to the relations which should be
“ maintained between the wages of women and men, having regard
“ to the interests of both, as well as the value of their work. The
“ recommendations should have in view the necessity of output during
“ the war and the progress and well-being of industry in the future.”

That Committee has been sitting frequently since its appointment, and we have ascertained that it will deal with the point raised by head (c). In our view it is not desirable that two Committees should deal with the same matter, and inasmuch as the question of women’s wages is the direct

subject of enquiry by Mr. Justice Atkin's Committee, whereas it is one only of numerous points raised before us, we have decided that any observations or recommendations from us on the matter are unnecessary.

RECRUITMENT AND UTILISATION IN THE ARMY OF SKILLED MEN

10. As to head (d), it is obvious that the questions raised relate to the past rather than to the present, and that they are merged into the immediate and wholly distinct problems of demobilisation. Hence we feel it is not necessary to report further as to this head. It will suffice to say that the matter was one which caused a serious measure of unrest, and that if the war had continued it would have called for prompt and thorough investigation. We do not doubt that in carrying out any scheme of demobilisation the Government will bear in mind the desirability of giving priority of release to those whose skill is required for the immediate change over from war work to civil work.

11. Two important matters appear in heads (a) and (b). We deal with them separately.

RESTORATION OF PRE-WAR CONDITIONS

12. As to (a), from the evidence which was given before us prior to the Interim Report it became clear that there existed a doubt in the minds of many skilled workers as to whether the pledges given by the Government in 1915 that pre-war conditions would be restored upon the making of Peace would be fully carried out. The evidence given before us since the publication of the Interim Report has emphasized the existence of the doubt. It is strongly felt by the great body of skilled men that definite pledges have been given and that good faith requires their fulfilment. In our Interim Report we made the following statement :—

“The Committee desire to state their view that it is essential that
“the workmen who assented to these Agreements with respect to
“restoration should be satisfied that the conditions of their acceptance
“will be fulfilled.”

We still retain the view expressed in those words.

13. We have felt and still feel that it is essential that reliance can be safely placed on a definite promise given by or on behalf of the Government. Good faith and mutual trust are as essential in national as in private life, and confidence is undermined if pledges be ignored.

14. The Committee are relieved from dealing more fully with the matter by reason of a recent announcement by the Prime Minister that the Government desire the advice of the Trade Unions and the employers with respect to the measures necessary to meet the admitted pledges.

15. The majority of the witnesses before us who have spoken as to the restoration of pledges have recognised the need for full consultation and discussion as to the appropriate measures of legislation. Many difficulties

arise as to the exact extent and operation of the pledges, having regard to developments in the last four years, and as to the precise legislation which may be required. It is obvious to the Committee that even when legislation has taken place the practical difficulties before employers and workmen will be great. Many establishments have been re-organised since the war ; new machinery and fresh processes have been introduced, and many old methods and restrictions have become obsolete and impracticable. These difficulties cannot be solved by mere legislation ; they must be faced and adjusted by the mutual co-operation, forbearance and good sense of the Trade Unions and the employers throughout the country.

It is impossible, moreover, to ignore the fact that a vast body of workers, both men and women, have, either for the first time entered industry since the commencement of the war or have passed from one class of work to another. A new wave of activity and method has entered into the manufacturing establishments of this country.

Many of the old traditions, both of employers and workmen, may have to go if the productive powers of the country are to be increased, and if the different sections of the community are to work in harmony.

We believe that workmen and employers are equally alive to the great issues involved in the proposed legislation and arrangements with respect to the restoration of pre-war conditions. Those issues are interwoven with the questions of national output, of our foreign and Colonial trade, of severe and ever-increasing competition by great and organised manufacturing and producing countries, and with the momentous problem of wages and standard of life. They touch the foundations of our industrial prosperity, our future social progress and the general interests of the community.

16. In the opinion of this Committee, the satisfactory carrying out of the restoration pledges must ultimately depend upon the breadth of view, the good feeling, and the tact with which the numerous difficulties of the problem are discussed and settled by the workmen and employers concerned. Industrial warfare would be a disastrous sequel to the achievements of the war, and the future months afford a momentous opportunity for further applying the spirit of conciliation and agreement, and for directing a broad and patriotic view to the problems of our industrial and social future. An Act of Parliament will be of small avail unless it is carried out with the full desire of co-operation and with a full realisation, not of sectional interests only, but the welfare of the community as a whole.

PIECE-WORK EARNINGS

17. We now desire to refer briefly to head (b), viz. the remarkable difference which existed in many cases between the earnings of certain sections of skilled time-workers and those of men and women employed on systems of payment by results who entered their occupations since the beginning of the war as dilutees. We have no doubt whatever that this

circumstance has caused grave and widespread discontent. The sense of injustice is aggravated by the injury to a man's self-respect as a skilled artisan when he finds that his remuneration frequently is below that of an unskilled man or woman. In our view, that which has been described as "wage jealousy" rests on comprehensible grounds in such a case.

18. But, in spite of the discontent engendered by such a disparity, we are satisfied that the skilled workers generally recognise that the difficulty has in substance arisen through the pledges given by the Government in the early part of the war that the existing piece-prices should not be reduced by reason of greater productivity on the part of the piece-worker. In certain industries it had been the practice, prior to the war, to agree that piece-prices should not be reduced unless the means or methods of manufacture were changed. At the time when the pledges were given we do not doubt that there was a genuine fear that they were necessary. It was essential to secure an increasing supply of munitions, and the piece-worker was therefore assured that the increase of his output should not be followed by a diminution in his piece-work prices.

The remarkable developments which have taken place could not well be foreseen. The war was unexpectedly prolonged. Requirements multiplied many times; machinery was worked more efficiently; processes became simpler and more familiar, and the dilutee rapidly acquired great skill and rapidity in the performance of his special work. The result was an extraordinary increase of production and an equally remarkable increase in the earning power of the dilutee based on the unaltered piece-prices. The time earnings of the skilled men, even including the advances and bonuses obtained from time to time, have often been in vivid contrast to the earnings of the dilutees.

19. The sense of unfairness to the skilled man resulting from the above facts has been felt by many employers, and we ourselves realise it fully. But throughout the whole of the enquiry before us no practical scheme was suggested whereby the inequality could be cured. To reduce the earnings of the piece-worker would have involved a breach of the Government's undertaking. To raise the day rates of the skilled worker so as to reach the standard represented by the piece-work earnings of many dilutees was found to be wholly impracticable. Many able witnesses who have appeared before us have frankly admitted that the problem was insoluble. We agree with them. It springs from the special pledges and the abnormal circumstances of the war.

PERCENTAGE-ON-COST CONTRACTS

20. In the course of our enquiry it was alleged that a serious cause of the disparity of wages could be traced to "percentage on cost contracts" made by Government Departments with contractors, and which (it was suggested) would be found to constitute a substantial proportion of contracts for munition supplies. The nature of "percentage-on-cost con-

tracts" or, as they are sometimes called, "time and line contracts", is well known. The contractor is paid for the cost of the labour and material used by him plus an adequate percentage on the labour bill for establishment charges, and plus also a percentage on the whole cost thus ascertained.

The possible effects of such contracts are obvious. They offer no inducement to the contractor to limit either the amount of labour he employs or the rate of wages he pays. On the contrary, the greater his wages bill the greater amount of profit he gets. He is tempted to pay higher wages than other employers, who may be working on fixed price contracts for the supply of more important war munitions, and thereby attract workmen from such employers to himself.

The possible effect on the men employed is equally clear. They would generally know that the contract is percentage on cost, and they are aware, therefore, that every increase of wages, whether legitimate or not, will be ultimately paid not by the contractor but by the Government, and that the contractor will actually gain by the larger wage bill. The men possess no incentive to work speedily and conscientiously. From every point of view, therefore, percentage-on-cost contracts may operate injuriously unless the contractor be of responsible character and position. They may place a premium on extravagance and inefficiency.

21. We thought it desirable to investigate the matter and to ascertain the extent to which percentage-on-cost contracts existed at the time of our enquiry. We have obtained the figures relating to (a) Production (i. e. ordinary supply) contracts and (b) construction (e. g. building) contracts. As to (a), the total number of production contracts in August 1918, was about 15,000. Of these only 227 (i. e. $1\frac{1}{2}$ per cent.) of the total were on a percentage-on-cost basis. The expenditure under such percentage-on-cost contracts is slightly less than $1\frac{1}{2}$ per cent. of the expenditure under the whole of the production contracts. As to (b) we find that the majority of construction contracts are upon a percentage-on-cost basis. The case of building contracts, however, in our view, stands upon quite a different footing to ordinary supply contracts. The great distinction between the two is obvious.

22. We may add that the great bulk of the expenditure under the percentage-on-cost production contracts mentioned in the preceding paragraph was in respect of experimental work, new designs, repairs, and the like. With regard to such a class of expenditure, it may justly be said that the fixed price contract is less appropriate, and may in fact be more costly owing to the risk of loss to which the contractor is exposed by reason of the nature of the work.

23. It follows from the figures we have given that the existence of percentage-on-cost contracts cannot be said to have contributed to any real extent to the widespread disparity of wages which created such a large degree of general discontent amongst munition workers at the time of our

appointment. We think it right to say that the contractors to whom percentage-on-cost contracts were actually given were in nearly every case firms of high and established reputation.

24. The preceding observations cover the four heads of complaint and discontent expressly mentioned in our Interim Report. Many other matters have been laid before us by witnesses prior to and since that Report. They may be divided into two main classes : first, complaints as to war time Legislation and Orders and the administration thereof ; and, secondly, complaints as to matters which are substantially outside such Legislation and Orders.

25. The principal points in the first class may be stated separately.

THE CONSCRIPTIVE EFFECT OF THE MUNITIONS ACTS AND ORDERS ON LABOUR, AND THEIR LIMITATION OF THE FREEDOM OF WORKERS WITH RESPECT TO EMPLOYMENT.

26. As to this, the Committee realise the force of the feeling held by many men on the point. We think, however, that the position created by the war and the fact that the Munitions Acts were passed after full consultation with organised Labour and with the full approval of the community are not fully recognised.

At the commencement of the war the Government had two courses open to it : first, the bold but logical course of general conscription, both combatant and industrial ; or, second, combatant conscription with a limited measure of industrial regulation. The first course would, if practicable, have involved a decision by the nation that every man of suitable age and health was definitely enlisted in the national service and subject to orders as to the task best suited to him. Soldiers and civilians would then have stood on a substantially similar footing, each civilian would have been regarded as a temporarily exempted combatant, and discipline and the obligation of allotted service would have been universal.

The traditional antagonism of the nation, however, to conscription prevented the adoption of this course. We have observed the unanimity with which the great body of witnesses before us have expressed a resentment not only of the substance but even the appearance of industrial conscription or the control of the State over the right of the workman to employ himself where he will at the best wages he can obtain.

The second course was adopted. A large measure of freedom was left to the worker, and such a degree only of regulation was made as was necessarily required by the national interest. It is obvious from the evidence before us that the great body of workers are anxious to reduce, and, as soon as possible, to remove the war time regulations of Labour conditions which at present exist.

NON-OBSERVANCE OF AWARDS

27. Complaints were made as to the administration of the provisions of the Munitions Acts and Orders with respect to rates and wages, evasions by employers of such provisions, and complaints as to delays in arbitration and the evasion by employers of Awards thereunder.

It has been asserted by several witnesses that the requirements of the Acts and Orders and of the Awards thereunder have been enforced less rigorously against employers than workmen. In view of the approaching end of war time legislation, we do not propose to examine these complaints in detail. It will suffice to say that, on the question of evasion, we deem it essential that Government Departments should make it clear that all who offend should be proceeded against promptly and effectively, whether they be employers or workmen.

With respect to the question of delay in arbitration, we must point out that workmen often fail to appreciate the unavoidable period required for the ascertainment of the facts, the hearing of both sides, and the well-considered determination of the point at issue. Hasty decisions do not create confidence. But, on the other hand, we feel that adequate expedition in determining disputes and in conducting correspondence with regard thereto is desirable. It is important for Government Departments to remember that great irritation may be caused to those who seek redress if they form the impression that their complaints are not examined and dealt with sufficiently promptly.

COMPLAINTS AS TO CERTAIN DETAILS OF ADMINISTRATION IN CONNECTION WITH THE WAR MUNITIONS VOLUNTEER SCHEME

28. The scheme as a whole has worked well and has undoubtedly been of great advantage to this country. It necessarily involved, however, great complexity of organisation, and a good deal of difficulty in carrying out various details of the scheme could scarcely be avoided. This matter also does not now call, we think, for minute consideration in view of the cessation of the scheme by reason of recent events.

29. THE SECOND CLASS of specific complaints are in substance independent of the legislation relating to the production of munitions of war. They fall under the following heads :—

(a) HOURS OF LABOUR AND OVERTIME.—The evidence before us shows a strong view on the part of representative Labour witnesses as to the evil results of unduly prolonged hours of labour and the discontent thereby caused. Excessive hours result in physical deterioration, lack of nervous energy, and decreased capacity for attentive and effective work. They deprive many of reasonable opportunities for home life, leisure and amusement, for education and for the fulfilment of citizen duties. We do not dwell upon these points inasmuch as they have been dealt with in the Interim Report of the Committee on Adult Education, which has recently

been published (Cd. 9107). This Committee feels that the time has come for the question of shorter hours to be considered on a broad footing. Legislation has already taken place with regard to miners by the passage in 1908 of the Coal Mines Regulation Act, 8 Edw. VII, c. 57. The Factory Acts and the Shops Act also regulate to a large extent the hours of labour for women and young persons, but we doubt whether an Act of Parliament of a general and compulsory character is as yet needed or practicable.

In various industries the employers and workmen can, with advantage, settle the matter by mutual agreement. The basis can be formulated by the Trade Unions and the representative bodies of employers. The circumstances of each industry vary. Work may be heavy or light. It may require close concentration or occasional attention. The physical or nervous strain may fluctuate with the class of employment and with the conditions under which the performance of the work takes place. No general rule as to the length of the working day seems feasible at the present time.

The main argument against the reduction of hours rests on the fear of reduced output at a time when the call for a larger production in every direction is imperative and for many reasons will become still more imperative in the future. The Committee feel that the reduction of the working hours need not necessarily result in a diminution of output. Intensity of effort will usually produce as much or more in a fewer number of hours as intermittent or half-hearted effort in a larger number. If, moreover, as the Committee anticipate, future years show a greater and more scientific use of increasingly efficient machinery and an improvement of organisation in many directions, the decrease of labour hours could be simultaneous with the infinitely greater production of industry which alone can secure a substantial increase of the workers' remuneration and a higher standard of life and opportunity.

We do not overlook the important fact that the diminution in the hours of labour may not infrequently require an extension of the double shift system. Several witnesses have frankly conceded this point. We recognise the disadvantages of abnormal work, such as night work, which are pointed out by the Report of the Committee on Adult Education, but the serious stress of external competition in the future cannot be disregarded. The retention of our foreign and colonial markets will wholly depend upon the increase of output unaccompanied by an increase of price. Vast and powerful productive organisations abroad will contend with the manufacturers of this country. Hence we think it important that the great mass of capital represented by the machinery and plant in the country shall be used with as much continuity as is consistent with the welfare of the industrial workers. To the extent that the plant and machinery and the factory remain unused, loss is thereby caused to the industry and the community. Fixed capital is wasted to the extent that it is not used.

(b) HOUSING.—The evidence before us has emphasised the grave discontent which exists amongst workers by reason of the deplorable housing conditions in many parts of the country. Houses are far too few in number, and many existing houses are defective in structure and accommodation. Overcrowding is terribly prevalent. Decency and privacy are impossible in many places. The movement of labour and other factors during the war have gravely aggravated the evils which have long existed. The Committee do not dwell in detail on the matter. On every hand it is recognised that health and self-respect are seriously impaired by the deficiency of adequate housing accommodation. A widespread and co-ordinated national programme of demolition and reconstruction should be carried out in order to secure conditions which permit of a healthy home life, a higher standard generally of existence, and the physical conditions which permit of improved industrial effort.

(c) HIGH PRICES OF FOOD.—Discontent occasioned by the present high cost of living created by war conditions is, of course, widespread, but the Committee feel that it does not fall within their duty to do more than mention the point. The hardships occasioned by high prices have been recognised in the case of those engaged in munitions work by war advances and bonuses substantially equivalent to the differences between the pre-war cost and the present cost of living. We feel that the hardships are probably greater in many sections of the community whose small earnings or very slender incomes have not grown proportionately with the increase of prices.

(d) INCOME TAX.—In certain localities there seems to be a strong feeling on the part of the workmen that hardship results where a man who would not otherwise fall into the class of income-tax payers finds that he has become liable to the tax by reason of the increased earnings made by working overtime. The men in these localities take the view that the overtime is given at a serious expenditure of health and strength, and that earnings resulting therefrom should not fall within the figures to be calculated for tax purposes. We mention this point, which was emphasised by more than one witness, in spite of the view of the Committee that it would be quite impracticable to exclude overtime earnings from income-tax assessment.

Two further points were brought before us in connection with income tax. The first was the complaint that in view of the high cost of living the figure at which income tax liability begins should be fixed at £200 and not £130. This is not a question with which we can deal. It involves a point of national finance and of the necessary steps for meeting the gigantic cost of the war. The second was a complaint as to the effect of the method of collecting income tax from workmen liable thereto and as to difficulties with regard to the recovery of tax overpaid. The earnings, for example, of a particular quarter of the year are frequently higher than the average for the full year. When a man pays income tax upon that quarter, he may, therefore, pay upon a substantially higher rate of

earnings than he is ultimately liable for when the year as a whole is taken. It is true that he may recover the excess paid by adopting the appropriate procedure, but the steps to be taken are not generally known to the men and they cannot deal with the complex forms. The Committee feel that it would allay a measure of unrest if the Inland Revenue authorities in different districts would provide clear and concise printed statements for the use of workpeople, explaining in plain language the rules under which income tax is payable, the methods by which a return of overpaid income tax can be obtained, the person to whom and the time within which application should be made for repayment. These might doubtless be reproduced in the various Trade and Labour journals.

30. We have now briefly reviewed the main points expressly presented in the evidence before us. Various other incidental points have also been raised from time to time, but they are not such as to call for comment.

31. The investigations of the Committee over a long period of time has indicated clearly the intricate nature of the work falling upon the Ministry of Munitions. A great organisation was gradually evolved, many separate Departments were created, co-ordination with other Government Departments had to be aimed at, and a vast machinery for dealing with an important variety of questions and details had to be maintained and adjusted. The Committee feel that these circumstances should be borne in mind when any criticism with regard to the work of the Ministry is considered. The fact should not be overlooked that the Ministry of Munitions has achieved the great task of supplying the munitions needed for this country and its Allies.

32. The Committee cannot conclude this Report without expressing their appreciation of the fullness and readiness with which the Government officials who appeared before them gave such information as was required for the purposes of the enquiry.

33. The Committee also desire to express their thanks to their Secretary, Mr. C. S. Hurst, for the courtesy and the ability with which he has assisted them.

We have the honour to be, Sir,
Your obedient servants,

(Signed) HENRY A. McCARDIE.

W. F. DAWTRY.

F. DUDLEY DOCKER.

R. S. HORNE.

JAMES KAYLOR.

STEPHENSON KENT.

HERBERT B. ROWELL.

D. J. SHACKLETON.

ALLAN M. SMITH.

GEORGE WILKINSON.

C. S. HURST (Secretary).

December, 1918.

APPENDIX 9¹

ACCELERATION OF OUTPUT ON GOVERNMENT WORK

MEMORANDUM OF PROPOSALS WHICH THE WORKMEN'S REPRESENTATIVES AGREED TO RECOMMEND TO THEIR MEMBERS AT A CONFERENCE WITH THE CHANCELLOR OF THE EXCHEQUER AND THE PRESIDENT OF THE BOARD OF TRADE, HELD AT THE TREASURY, ON MARCH 17TH-19TH, 1915.

THE following workmen's organisations were represented :

- Friendly Society of Ironfounders.
- British Steel Smelters' Association.
- Amalgamated Society of Engineers.
- Federation of Engineering and Shipbuilding Trades.
- Electrical Trade Union.
- Associated Blacksmiths and Ironworkers.
- Associated Ironmoulders of Scotland.
- National Amalgamated Cabinetmakers.
- Steam Engine Makers' Society.
- General Union of Carpenters and Joiners.
- United Patternmakers' Association.
- National Transport Workers' Federation.
- General Union of Textile Workers.
- Amalgamated Society of Carpenters and Joiners.
- Boilermakers' and Iron and Steel Shipbuilders' Society.
- Ship-constructors' and Shipwrights' Association.
- National Amalgamated Sheet Metal Workers.
- United Operative Plumbers' Association.
- Gasworkers' and General Labourers' Union.
- United Machine Workers' Association.
- Associated Iron and Steel Workers of Great Britain.
- National Amalgamated Union of Labour.
- Workers' Union.
- Amalgamated Society of Woodcutting Machinists.
- Amalgamated Toolmakers' Society.
- National Amalgamated Furnishing Trades Association.
- National Amalgamated House and Ship Painters and Decorators.
- National Union of Railwaymen.
- National Union of Boot and Shoe Operatives.
- General Union of Braziers and Sheet Metal Workers.
- Scottish Painters' Society.
- Sheet Iron Workers' and Light Platers' Society.
- Shipbuilding Trades Agreement Committee.

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General Federation of Trade Unions.

Parliamentary Committee of the Trade Union Congress.

The Workmen's Representatives at the Conference will recommend to their members the following proposals with a view to accelerating the output of munitions and equipments of war :

1. During the War period there shall in no case be any stoppage of work upon munitions and equipments of War or other work required for a satisfactory completion of the War :—

All differences on Wages or conditions of employment arising out of the War shall be dealt with without stoppage in accordance with paragraph 2.

Questions not arising out of the War should not be made the cause of stoppage during the War period.

2. Subject to any existing agreements or methods now prevailing for the settlement of disputes, differences of a purely individual or local character shall unless mutually arranged be the subject of a deputation to the firm representing the workmen concerned, and differences of a general character affecting wages and conditions of employment arising out of the War shall be the subject of Conferences between the parties.

In all cases of failure to reach a settlement of disputes by the parties directly concerned, or their representatives, or under existing agreements, the matter in dispute shall be dealt with under any one of the three following alternatives as may be mutually agreed, or in default of agreement, settled by the Board of Trade.

(a) The Committee on Production.

(b) A single arbitrator agreed upon by the parties or appointed by the Board of Trade.

(c) A court of arbitration upon which Labour is represented equally with the employers.

3. An Advisory Committee representative of the organised workers engaged in production for Government requirements shall be appointed by the Government for the purpose of facilitating the carrying out of these recommendations and for consultation by the Government or by the workmen concerned.

4. Provided that the conditions set out in paragraph 5 are accepted by the Government as applicable to all contracts for the execution of war munitions and equipments the workmen's representatives at the Conference are of opinion that during the war period the relaxation of the present trade practices is imperative, and that each Union be recommended to take into favourable consideration such changes in working conditions or trade customs as may be necessary with a view to accelerating the output of war munitions or equipments.

5. The recommendations contained in paragraph 4 are conditional on Government requiring all contractors and sub-contractors engaged on munitions and equipments of war or other work required for the satis-

factory completion of the war to give an undertaking to the following effect :—

Any departure during the war from the practice ruling in our workshops, shipyards, and other industries prior to the war, shall only be for the period of the war.

No change in practice made during the war shall be allowed to prejudice the position of the workpeople in our employment, or of their Trade Unions in regard to the resumption and maintenance after the war of any rules or customs existing prior to the war.

In any readjustment of staff which may have to be effected after the war, priority of employment will be given to workmen in our employment at the beginning of the war who are serving with the colours or who are now in our employment.

Where the custom of a shop is changed during the war by the introduction of semi-skilled men to perform work hitherto performed by a class of workmen of higher skill, the rates paid shall be the usual rates of the district for that class of work.

The relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job. In cases where men who ordinarily do the work are adversely affected thereby, the necessary readjustments shall be made so that they can maintain their previous earnings.

A record of the nature of the departure from the conditions prevailing before the date of this undertaking shall be kept and shall be open for inspection by the authorised representative of the Government.

Due notice shall be given to the workmen concerned, wherever practicable, of any changes of working conditions which it is desired to introduce as the result of this arrangement, and opportunity of local consultation with men or their representatives shall be given if desired.

All differences with our workmen engaged on Government work arising out of changes so introduced or with regard to wages or conditions of employment arising out of the War shall be settled without stoppage of work in accordance with the procedure laid down in paragraph 2.

It is clearly understood that except as expressly provided in the fourth paragraph of clause 5 nothing in this undertaking is to prejudice the position of employers or employees after the war.

(Signed) D. LLOYD GEORGE.
 WALTER RUNCIMAN.
 ARTHUR HENDERSON
(Chairman of Workmen's Representatives).
 WM. MOSSES
(Secretary of Workmen's Representatives).

March 19th, 1915.

APPENDIX 10¹

ACCELERATION OF OUTPUT ON GOVERNMENT WORK

At a meeting held at the Treasury on 25th March, 1915, between the Chancellor of the Exchequer and the President of the Board of Trade and the Executive Council and Organising District Delegates of the Amalgamated Society of Engineers, the Chancellor of the Exchequer explained the circumstances in which it had become essential for the successful prosecution of the war to conclude an agreement with the Trade Unions for the acceleration of output on Government work. After discussion the representatives of the Amalgamated Society of Engineers resolved that, in the light of the Chancellor of the Exchequer's statement and explanations, the agreement be accepted by the Union, and expressed a desire that the following statements by the Chancellor of the Exchequer in answer to questions put to him as to the meaning of various clauses in the Memorandum agreed upon at a Conference with Workmen's representatives on 17th–19th March be put on record :—

1. That it is the intention of the Government to conclude arrangements with all important firms engaged wholly or mainly upon engineering and shipbuilding work for war purposes, under which their profits will be limited, with a view to securing that benefit resulting from the relaxation of trade restrictions or practices shall accrue to the State.
2. That the relaxation of trade practices contemplated in the agreement relates solely to work done for war purposes during the war period.
3. That in the case of the introduction of new inventions which were not in existence in the pre-war period the class of workman to be employed on this work after the war should be determined according to the practice prevailing before the war in the case of the class of work most nearly analogous.
4. That on demand by the workmen the Government Department concerned will be prepared to certify whether the work in question is needed for war purposes.
5. That the Government will undertake to use its influence to secure the restoration of previous conditions in every case after the war.

D. LLOYD GEORGE.

WALTER RUNCIMAN.

JAS. T. BROWNLIE (Chairman of Executive Council of Amalgamated Society of Engineers).

WM. HAROLD HUTCHINSON (Member of Executive Council).

GEORGE RYDER (Organising District Delegate).

ROBERT YOUNG (General Secretary).

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APPENDIX 11¹STATUTORY RULES AND ORDERS, 1916
No. 106

MUNITIONS OF WAR

CONTROLLED ESTABLISHMENTS. ENGLAND AND IRELAND

THE MUNITIONS (ORDERING OF WORK) REGULATIONS, 1916, DATED FEBRUARY 18, 1916, MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF SECTION 4 (5) OF THE MUNITIONS OF WAR ACT, 1915 (5 & 6 GEO. 5, c. 54), WITH RESPECT TO THE GENERAL ORDERING OF THE WORK IN A CONTROLLED ESTABLISHMENT IN ENGLAND AND IRELAND.

THE Minister of Munitions in pursuance of Section 4, subsection 5, of the Munitions of War Act, 1915, hereby makes the following Regulations :—

(1) The owner of any Controlled Establishment shall, as soon as practicable, post Rules relating to Order, Discipline, Timekeeping, and Efficiency conspicuously in his establishment so as to bring them effectively to the knowledge of workmen employed therein.

(2) Such Rules shall be in the form set out in the Schedule hereto or such other form as may be approved by the Minister and shall be so posted as to be entirely separate and clearly distinguishable from any other rules or notices in the establishment.

(3) Every person employed in the establishment shall comply with any Rule so posted, and any person so employed who acts in contravention of, or fails to comply with any such Rules shall be guilty of an offence under the Munitions of War Act, 1915.

Provided that no proceedings shall be taken under the Rules so posted in respect of a refusal to work on Sunday.

(4) No proceedings shall be taken before a Munitions Tribunal in respect of breaches of rules other than of the Rules made and posted in accordance with these Regulations, and any such other rules shall be so worded and entitled as to avoid all possibility of confusion with the Rules made under these Regulations.

(5) Any person who acts in contravention of or fails to comply with any of these Regulations shall be guilty of an offence under the Munitions of War Act, 1915, and shall be liable to a fine not exceeding £3 in respect of each such offence.

(6) The Munitions (Ordering of Work) Regulations, 1915, are hereby revoked.

(7) These Regulations may be cited as the Munitions (Ordering of

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Work) Regulations, 1916, and shall come into force on the twenty-eighth day of February, 1916.

Signed by Order of the Minister of Munitions this eighteenth day of February, 1916.

H. LLEWELLYN SMITH,

General Secretary to the Ministry of
Munitions.

Ministry of Munitions of War,
6, Whitehall Gardens, S.W.

SCHEDULE

MUNITIONS OF WAR ACTS, 1915 AND 1916

RULES FOR CONTROLLED ESTABLISHMENTS RELATING TO ORDER, DISCIPLINE, TIMEKEEPING, AND EFFICIENCY, APPROVED BY THE MINISTER OF MUNITIONS, AND POSTED BY THE OWNER IN ACCORDANCE WITH THE MUNITIONS (ORDERING OF WORK) REGULATIONS, 1916, IN PURSUANCE OF SECTION 4 (5) OF THE MUNITIONS OF WAR ACT, 1915.

1. *Application.*—These Rules shall apply to every person employed in the.....being a Controlled Establishment under Section 4 of the Munitions of War Act, 1915, and Schedule II of the Act. The posting of these Rules conspicuously in the establishment in accordance with the Regulations shall be deemed to be due notice of their contents to persons employed therein.

2. *Regularity and Diligence.*—Every person employed in the establishment, whether on time, piece, or otherwise, shall attend regularly and work diligently during the ordinary working hours of the establishment, and a reasonable amount of overtime, if required, unless he has previous leave of absence for holidays or otherwise, or is prevented by sickness or some other unavoidable cause which shall be immediately reported.

3. *Suspension of Restrictions.*—No person employed shall insist or attempt to insist on the observance either by himself or by any other person employed of any rule, practice, or custom tending to restrict the rate of production on any class of work, or to limit the employment of any class of person, or otherwise tending to restrict production or employment.

4. *Sobriety and Good Order.*—No person employed shall—

- (a) Be the worse for liquor in the establishment or bring intoxicating liquors into the establishment.
- (b) Refuse or neglect to obey the lawful orders of any person having authority over him.
- (c) Create or take part in any disturbance in the establishment, or use abusive language or otherwise interfere with or annoy any other person employed in the establishment.
- (d) Tear down or deface any regulations, rules or other notices posted in the establishment in pursuance of the Munitions of War Act.

5. *Saving for other Shop Rules.*—Nothing in these Rules shall affect any other Shop Rules made by the owner of the establishment or his power to impose fines for breach of such Rules subject to the provisions

of the Truck Acts. Provided that no fine shall be imposed under any such other Rules for any offence which has been brought before a Munitions Tribunal.

Any person convicted of a breach of any of these Rules is liable on conviction before a Munitions Tribunal to a fine not exceeding £3 for each offence.

The above are the only Rules of the Establishment in respect of which proceedings may be taken before a Munitions Tribunal.

APPENDIX 12¹

RULES FOR THE USE OF TRINITROTOLUENE

MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF REGULATION 35 A.A. OF THE DEFENCE OF THE REALM (CONSOLIDATION) REGULATIONS, 1914.

TRINITROTOLUENE being an explosive substance within the meaning of Regulation 35 A.A. of the Defence of the Realm (Consolidation) Regulations, 1914, the Minister of Munitions hereby, in pursuance of powers conferred under that Regulation, and with the concurrence of the Secretary of State, makes the following Rules, and directs that they shall apply to all Factories and workshops in which Trinitrotoluene or any mixture containing it is used or manipulated.

These Rules shall come into force on 19th February, 1917.

DEFINITIONS

In these Rules :—

T.N.T. means trinitrotoluene, amatol, ammonal, alumatol, or other mixture containing not less than 10 per cent. of trinitrotoluene.

T.N.T. PROCESS means

- (a) manipulation, movement, or other treatment of T.N.T. in whatever form ; and
- (b) cleaning any surface, or cleaning or destroying any receptacle or part thereof with which T.N.T. has been in contact.

APPROVED means sanctioned by a person definitely appointed for the purpose by the Department of the Ministry of Munitions for which work is carried on, who shall act on the advice of the expert Committee appointed to advise the Minister on these matters, which sanction shall be set out in writing and sent to the Factories and workshops affected, and may at any time be withdrawn by the aforesaid person.

EMPLOYED means employed at any T.N.T. process or in any place where any such process is carried on.

MEDICAL OFFICER means a duly qualified medical practitioner appointed by the Minister of Munitions, by whom his duties and remuneration shall be approved.

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SUSPENSION means suspension from employment on any *T.N.T.* process or in any place in which a *T.N.T. process* is carried on, by certificate signed by the *Medical Officer*, who shall have powers of suspension as regards all persons employed.

DUTIES

It shall be the duty of the Employer to observe Part I of these Rules.

It shall be the duty of every person *employed* to observe Part II of these Rules.

PART I

DUTIES OF EMPLOYERS

1. No *T.N.T. PROCESS*, for the carrying out of which any appliance has been *approved*, shall be carried out without the use of such appliance.

Provided always that, in case of breakdown or unforeseen urgency which has been notified by telegram to the Department concerned, the process may temporarily be carried out otherwise, if sanctioned by the Department of the Ministry for which work is carried on.

2. The ventilation of every place in which any *T.N.T. process* is carried on shall be *approved* and shall, if required, include an approved method for removing dust or fumes at the point of origin.

3. Arrangements for all process of filling shall be such that outside contamination of the article being filled shall be reduced to a minimum.

4. In every place in which any *T.N.T. process* is carried on, the floor, work-benches, trolleys, and all fittings or appliances on which *T.N.T.* may accumulate, shall be cleaned by an *approved* method.

5. Funnels, trolleys, trucks, or other articles coated with *T.N.T.* shall only be cleaned by an *approved* method.

6. No oil or grease or other carbon compounds which are solvents of *T.N.T.* shall be used in any place in which any *T.N.T. process* is carried on, unless such use has been *approved*.

7. No person under 16 years of age shall be *employed*; and no person under 18 years of age shall be *employed* unless such employment is *approved*.

8. No person shall be *employed* for more than a fortnight without an equal period of work at a process not involving contact with *T.N.T.* or an equal period of absence from work unless such employment has been approved by the *Medical Officer*.

9. (a) At every Factory and workshop there shall be a *canteen* approved by the Welfare Section of the Ministry.

(b) Every person *employed* shall be supplied gratis daily with half a pint of milk or an *approved* substitute.

10. There shall be provided for the use of all persons *employed*, *approved* working costumes, which costumes shall be washed, cleansed or renewed at least once every week, either on the premises or at an *approved* laundry.

11. There shall be provided and maintained for the use of all persons *employed*,

- (a) a place or places, approved by the Welfare Section of the Ministry, for clothing put off during working hours ;
- (b) an *approved* place or places for the storage of the costumes provided in pursuance of Rule 10, which place or places shall be separate from those required under paragraph (a) of this Rule, and under paragraph (a) of Rule 9.

12. (a) At every Factory or workshop where two thousand persons are *employed* there shall be at least one whole-time *Medical Officer* to supervise such persons, and at least one *additional Medical Officer* if the number exceeds two thousand.

(b) A Woman Welfare Supervisor, approved by the Welfare Section of the Ministry, whose remuneration and duties shall be *approved*, shall be appointed at all Factories and workshops where women are *employed*.

(c) There shall be appointed at every Factory or workshop a person or persons who shall supervise the methods and processes of work with a view to the carrying out of these Rules, and shall record, for the inspection of any authorized Officer, any breach of these Rules.

13. There shall be provided, for the purpose of cleansing from *T.N.T.* the skin of persons *employed*, any fluid or other material which may be *approved*.

14. (1) There shall be provided and maintained, in a cleanly state and in good repair, for the use of all persons employed in any *T.N.T. process* a lavatory under cover, with a sufficient supply of soap and nail brushes, and with either :—

- (i) a trough with a smooth, impervious surface, fitted with a waste pipe without plug, and of such length as to allow at least two feet for every five such persons *employed* at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet ; or
- (ii) at least one lavatory basin for every five such persons *employed* at any one time, fitted with a waste pipe and plug, and having a constant supply of water laid on.

(2) A supply of dry towels, renewed and washed daily, which shall consist of either :

- (i) a towel, at least five feet square in area, for each worker, or
- (ii) one roller towel, fastened in position, and at least fifteen feet square in area, for every three workers.
- (iii) some other arrangement approved by the Welfare Section of the Ministry.

The responsibility for the carrying out of all arrangements specified in this Rule shall rest with the Welfare Section of the Ministry.

15. (a) Every person employed in a *T.N.T. process* shall be examined by the *Medical Officer* or the *additional Medical Officer* at least once in every week or at such shorter or longer intervals as may be *approved*.

- (b) A Health Record containing the names of all persons employed in any *T.N.T. process* shall be kept in an *approved* form.
- (c) The employer shall notify to the *Medical Officer* the Officer responsible for seeing that *suspension* is carried out.
- (d) No person, after *suspension*, shall be employed in any *T.N.T. process* without written sanction from the *Medical Officer*.
- (e) Returns of the incidence of sickness due to *T.N.T.* shall be made, as required, to the Medical Adviser of the Ministry of Munitions in charge of these matters.

PART II

DUTIES OF PERSONS EMPLOYED

16. (a) Every person *employed* in any *T.N.T. process* shall deposit in the place or places provided in pursuance of Rule 11 (a) all clothing put off prior to work.
- (b) Every person for whose use an *approved* costume is provided in pursuance of Rule 10 shall wear the costume when *employed* in any *T.N.T. process*, and remove it before partaking of food or leaving the premises, and deposit it in the place provided under Rule 11 (b).
17. No person *employed* shall introduce, keep or prepare any food or drink, or make use of tobacco, in any place in which any *T.N.T. process* is carried on.
18. Every person *employed* in any *T.N.T. process* or in any place where any *T.N.T. process* is carried on, shall, before partaking of food, and before leaving the premises, wash in the lavatory provided in pursuance of Rule 14, and in doing so shall in no case wash in water already used by another person; and shall cleanse the skin if and as directed with any fluid provided in pursuance of Rule 13.
19. Every person *employed* in any *T.N.T. process* shall submit himself, when required, for examination by the *Medical Officer*, or the *additional Medical Officer*.
20. No person *employed* shall, after *suspension* under these Regulations, work in any *T.N.T. process* without written sanction from the *Medical Officer* entered in the Health Record.
21. No person shall interfere in any way, without the concurrence of the occupier or Manager, with the means provided for the removal of vapour, fumes and dust, and for the carrying out of these Rules.
22. A copy of these Rules shall be posted in prominent places in each Factory and workshop.

(Signed) H. WOLFE,
Assistant General Secretary.

APPENDIX 13

MUNITIONS OF WAR ACTS, 1915 AND 1916

MEMORANDUM FOR THE GUIDANCE OF EMPLOYERS IN
REGARD TO LEAVING CERTIFICATES

(This memorandum supersedes the memorandum on Leaving Certificates issued to employers in September, 1916.)

THE following memorandum is intended to show employers what their responsibilities are in regard to leaving certificates under Section 7 of the Munitions of War Act, 1915, as amended by Section 5 of the Munitions of War (Amendment) Act, 1916, referred to in this memorandum as "The Section."

1. *General provisions of the Section.*—No person, whether he is engaged on munitions work or not, may give employment to a workman who has within the last previous six weeks been employed on or in connection with munitions work in any establishment of a class to which the provisions of the Section are applied by Order, unless the workman holds a certificate, made out in the prescribed form (see paragraph 13 below), either from the employer by whom he was last so employed or from a Munitions Tribunal, to the effect that he is free to accept other employment. Any person who employs a workman contrary to this provision is liable to proceedings before a General Munitions Tribunal, and to be ordered to pay a fine not exceeding £50 in respect of each offence. This provision, however, does not apply to the employment in a controlled establishment of a War Munitions Volunteer who has been transferred there by order of the Ministry of Munitions.

It will be observed that there can be no offence, so far as the Section is concerned, in employing any person unless—

- (a) he is a workman within the meaning of the Act, and
- (b) within the last previous six weeks,

- (i) he has been employed in an establishment of a class specified in an Order made under the Section (see paragraph 3), and
- (ii) he has been employed in that establishment on or in connection with munitions work.

2. *Meaning of "workman."*—The word "workman" includes not only men but women. It includes, besides workmen in the usual sense of the word, "foremen, clerks, typists, draughtsmen and other persons whose usual occupation consists wholly or mainly in work other than manual labour." It also includes boys and girls.

3. *Classes of establishment to which the Section applies.*—Orders made at various dates apply the provisions of the Section to :—

- (a) Factories and workshops, the business of which consists "wholly or mainly in engineering, shipbuilding, or the production of

LEAVING CERTIFICATES

arms, ammunition, or explosives, or of substances required for the production thereof" (July 14th, 1915);

- (b) (1) Controlled establishments; (2) establishments supplying electrical light or power where such supply has been certified under Section 9 (1) (d) of the Munitions of War (Amendment) Act, 1916 (May 1st, 1916);
- (c) Establishments engaged in the construction, alteration, repair, or maintenance of docks, and harbours, and work in estuaries (July 1st, 1916);
- (d) Gas undertakings:—(1) where the supply of light, heat, or power has been certified under Section 9 (1) (d) of the Amendment Act; (2) where the undertaking is substantially engaged on the production of materials for the manufacture of explosives (July 25th, 1916).
- (e) Any establishment belonging to or in the possession or under the control of His Majesty or any Government Department which is used for housing or storing ammunition or explosives or the materials required for their manufacture (September 6th, 1916).
- (f) (1) Any establishment, being a barracks or hatted camp, so far as concerns the construction, alteration or repair thereof, or the supply of light, heat, water or power for the purpose of such construction, alteration, repair or supply; (2) any establishment, the work of which consists in whole or in part of such construction, alteration, repair or supply as aforesaid; in any case in which any such work is executed under the direction of the Royal Engineers or the Director of Barrack Construction (October 16th, 1916).
- (g) Any establishment supplying water, in cases where such supply has been certified under Section 9 (1) (d) of the Amendment Act (November 7th, 1916).
- (h) Any establishment manufacturing firebrick or silica brick (November 23rd, 1916).
- (i) Any establishment manufacturing lime (December 4th, 1916).
- (j) Any establishment (whether belonging to the Road Board or to any other person, corporation or body) which is engaged under the control, direction or supervision of the Road Board in the construction, alteration or repair of roads for purposes connected with the present War (December 16th, 1916).

4. *Employment on or in connection with munitions work.*—The definition of munitions work is set out in full in the Appendix to this memorandum.

The Ministry are advised that employment on munitions work in this connection must be substantial employment, e.g. workmen employed only for a few hours in the week or for a few days in six weeks on munitions work could not be held to be employed on or in connection with munitions work within the meaning of the Section. Whether the employment is in

any given case substantial is a question of fact, and can be settled in case of dispute by a Munitions Tribunal only.

5. *Precautions to be taken by employers.*—Unless an employer definitely knows that a workman whom he proposes to engage has not, within the last previous six weeks, been employed on work to which the Section applies, he should make careful enquiries of the workman as to where he has been employed and what work he has been doing. In doubtful cases he may think it desirable to require the workman to sign a simple form of statement setting out the name and business of his last employer and the nature of the work upon which the workman was himself employed. If there is any question of his having been engaged on work which would bring him within the provisions of the Section, the employer would be well advised either to communicate with the previous employer with a view to ascertaining whether the workman is free so far as the Section is concerned, or to insist on the workman producing a leaving certificate either from his previous employer or from a Local Munitions Tribunal.

Where a workman is engaged through an Employment Exchange, the Exchange before submitting his name to the employer will take such steps as are practicable to ascertain that he is free to accept employment at once. While, however, the Exchange will exercise all possible care in such cases, it can in no case assume the employer's responsibility under the Section.

6. *Application for a certificate.*—Cases will arise in which a workman, to whom the restrictions of the Section clearly apply, desires to leave and go to other employment. If the employer agrees to his leaving, he must, under Rule 1 of the Leaving Certificates Rules,¹ give him a certificate in the form prescribed in Appendix 1 to the Rules. Copies of this form (M.T. 23) can be obtained, free of charge, on application to any Employment Exchange. If the employer desires to withhold his consent to the workman's leaving him, he may refuse to give the workman a leaving certificate, but should at the same time explain to him that it is open to him to lodge a complaint with a Local Munitions Tribunal on the ground that his employer has unreasonably refused to issue a certificate to him. The workman should be told that he can get an official form of complaint (M.T. 7) from any Employment Exchange, and that he can also obtain from any Employment Exchange a copy of a memorandum on Leaving Certificates issued by the Ministry for the guidance of workpeople.

It should be noted that when a Local Tribunal, after hearing a complaint, has decided in the workman's favour, it may either itself issue a certificate or may order the employer to do so. On receipt of such an order the employer must at once issue a certificate in the usual form. A certificate so ordered should ordinarily be given to the workman on the conclusion of the hearing of the case in Court.

¹ The Munitions (Leaving Certificates) Rules, 1916, made under Section 5 of the Munitions of War (Amendment) Act, 1916.

7. *Grounds for releasing a workman.*—Certain special cases in which an employer is obliged to give a workman a leaving certificate are dealt with in paragraph 8. Apart from such special cases, Section 5 (5) of the Amendment Act lays down certain questions which a Munitions Tribunal is required to take into consideration in determining whether a certificate has been unreasonably refused. It follows that an employer should also have special regard to these questions when he is considering whether or not to withhold a certificate from a workman. These questions are:—

- (a) Has the workman left, or does he want to leave his work “for the purpose of undertaking any class of work in which his skill or other personal qualifications could be employed with greater advantage to the national interests ?”
- (b) Has the employer “failed to observe the conditions laid down in the fair wages clauses required by resolution of the House of Commons to be inserted in Government contracts ?”
- (c) Has the workman “recently completed a term of apprenticeship or period of learning his trade or occupation,” and does he desire “to obtain the full standard rate of wages applicable to fully qualified workmen in his trade or occupation ?”

Apart from these questions, which a tribunal is bound to take into account, an employer will, no doubt, consider other circumstances. The workman may, for example, have valid reasons of health or domestic reasons for wishing to change his employment. Moreover, the employer may not have munitions work of sufficient importance in sight to justify him in retaining the workman in his service.

8. *Dismissals, Discharges, Suspensions, &c.*—If the employer dismisses or discharges a workman who is subject to the provisions of the Section, he is bound to give him a leaving certificate. Moreover, where a workman subject to the Section has for a period of more than two working days been given no opportunity of earning wages, his employer, if the workman wishes to leave and asks for a certificate, is obliged to give it to him.

If in any case of a kind dealt with in this paragraph an employer fails to give the certificate as required, the workman can complain to the Local Munitions Tribunal in the way already described. The Tribunal must not only issue or order the issue to him of a leaving certificate, but may also order the employer to pay him such sum, not being more than £5, as it thinks fit, unless in any such case it thinks that the workman was guilty of misconduct for the purpose of obtaining dismissal or discharge.

The same right is secured to a workman who leaves because of conduct on the part of his employer, or any agent of his employer (e. g. a foreman), which would justify him in terminating immediately his contract of service, even without the notice normally required. That is to say, if the workman leaves in such circumstances and the employer refuses him a certificate, the Tribunal not only must issue or order the issue of the certificate, but may award compensation up to £5 to the workman.

9. One Week's Notice. (NOTE.—*This paragraph does not apply to workmen engaged in ship-repairing or any other class of workmen who may hereafter be exempted by the Ministry of Munitions in the manner prescribed.*)—If the employer of a man who is engaged on munitions work in an establishment to which the Section applies terminates the contract of service by dismissal without one week's notice or wages in lieu of notice, the employer is obliged by Section 5 (3) of the Amending Act to report the matter within 24 hours of giving notice of dismissal. This report must be made to the Employment Exchange on a prescribed form (M.M. 11), copies of which can be obtained at any Exchange. On a complaint made by the workman to a Local Munitions Tribunal, the Tribunal may in any such case order the employer to pay compensation up to £5 to the workman in lieu of notice, unless the Tribunal is of opinion that, owing to the discontinuous or temporary nature of the employment or misconduct of the workman, the employer had reasonable cause for dismissing him without a week's notice.

The Ministry of Munitions is advised that Section 5 (3) does not apply to workmen whose contract of service is terminated otherwise than by the act of the employer. Thus, an employer is not obliged to give a week's notice or wages in lieu thereof to a workman engaged merely to perform a specified piece of work whose contract terminates naturally with the completion of the piece of work agreed to be performed; nor again is he obliged to give a week's notice or wages in lieu thereof to a workman whom he engaged to work for an agreed period.

[It should be noted that the expression "contract of service" used in Section 5 (3) refers to any contract of service (i. e. agreement to work), whether in writing or not. Employers are, however, advised that, where they engage a workman for a specified period or piece of work, they should be able, in case of dispute, to produce evidence that the workman understood clearly that he was engaged for such period or piece of work.]

10. Workmen leaving without certificates.—If a workman apparently covered by the Section leaves without obtaining a certificate either from the employer or from a Munitions Tribunal, the employer should report the fact to the nearest Employment Exchange on a Form U.I. 387, of which he can obtain copies from any Exchange. It is important that the details given on the form should make it clear that the employer's establishment is one to which the Section applies, and that the workman has been employed on or in connection with munitions work during the last six weeks. If the workman is insured under Part II of the National Insurance Act, the employer must send his unemployment book to the local office, in accordance with the Unemployment Book (War) Regulations, 1915. He must not give it to the workman, and it is an offence under the Unemployment Insurance Regulations for him to retain it himself. He must in any case give the workman his Health Insurance Card.

Reports of Form U.I. 387 are forwarded by the Employment Exchange to the Ministry of Munitions, but no action can be taken upon them unless the Ministry learns, either from the employer filling up the form or from elsewhere, the name and address of any employer by whom the workman may subsequently have been employed in contravention of the Act. Where such information is received, the Ministry is generally prepared to make enquiries of the employer alleged to have contravened the Act. This, however, does not prevent the previous employer from lodging a complaint with the General Munitions Tribunal for his own district against the subsequent employer. A form for this purpose, together with other particulars, can be obtained from any Employment Exchange. Where an employer proposes to take action of this kind it is desirable that he should make known his intention to the Employment Exchange.

11. *Workpeople not on munitions work.*—Rule 3 of the Leaving Certificate Rules provides that “Where a workman, who is employed in any establishment of a class to which the section is applied, and who is not employed on or in connection with munitions work, desires to leave such employment, the employer may, if required by the workman, give him a certificate in the form set out in the first schedule to these Rules.”

This provision has been made because of the number of cases in which a workman, though not employed on or in connection with munitions work, has found difficulty in obtaining other employment without a certificate, because he has been working in an establishment largely engaged on munitions work, or follows an occupation which might suggest that he had been so engaged. Other employers are naturally afraid in many cases to engage such a workman, because they cannot be sure that he is free for engagement, unless he has a certificate. An employer therefore in an establishment to which the Section applies is authorised to give a workman not engaged on or in connection with munitions work a certificate in the usual form (M.T. 23). An employer should ordinarily grant such a certificate, but if in any case he refuses to do so he should point out to the workman that he can lodge a complaint with a Local Munitions Tribunal through any Employment Exchange, and that the Tribunal, if it is of opinion that he has not been employed on or in connection with munitions work within the last six weeks, may give him a certificate to that effect (Rule 4).

12. *Workpeople employed on munitions work in an establishment to which the Section does not apply.*—It will sometimes happen that a workman who is employed on or in connection with munitions work in an establishment to which the Section does not apply, will take his case to the Tribunal, when he finds himself unable to obtain employment without a certificate. In such cases the Tribunal will dismiss the complaint on the ground that the workman is free to accept other employment without a certificate, since he was not employed in an establishment to which the Section applies. Where the complaint is thus dismissed, the Tribunal

may, at the request of the workman or his representative, issue to the workman an authorised copy of the entry upon the Tribunal's register of proceedings, and a workman holding a copy of such entry may be employed by a new employer without fear of penalties.

13. *Form and Custody of Certificates.*—A leaving certificate given by an employer, whether voluntarily or by order of a Local Munitions Tribunal, must be in the form prescribed in Schedule I to the Leaving Certificate Rules. Rule 9 provides that "no note or mark of any kind shall be made in or affixed to or impressed on a certificate otherwise than as provided by those Rules."

An employer, for example, may not give upon a leaving certificate any indication of the workman's character or capacity or his reason for leaving.

A workman who has obtained a certificate either from his employer or from a Tribunal must "on obtaining new employment, deliver the certificate to the new employer, who shall forthwith cancel it and shall either retain it in his possession or destroy it."

14. *Munitions Tribunals.*—A memorandum giving details with regard to the constitution and procedure of General and Local Munitions Tribunals is issued by the Ministry. The address of the Clerk to each Tribunal can be obtained from any Employment Exchange.

A complaint by a workman on any of the grounds set out in the foregoing paragraphs of this memorandum will be heard by a Local Munitions Tribunal. The employer concerned will receive due notice of the time and place at which the case is to be heard. If unable to appear, he may send a written statement to the Tribunal. The case may then be decided in his absence or may be adjourned for his attendance. Neither party to the complaint may be represented by counsel or solicitor.

There is an appeal to a judge of the High Court against the decision of a Munitions Tribunal on any ground which involves a question of law or of mixed law and fact. Before a General Munitions Tribunal parties may be represented by counsel or solicitor.

15. *Offences and Penalties.*—An employer is liable to be fined not more than £50 by a General Munitions Tribunal for employing a workman in contravention of the Act. There is nothing in the Act to prevent a workman, to whom the Section applies, from leaving his employment after due notice without a certificate nor is he liable to any penalty merely because he has obtained other employment without a certificate. The Ministry are, however, advised that, where the terms of a workman's employment (whether by contract or custom) require that he should give a certain notice before leaving, such workman, if he is employed in a controlled establishment, commits a breach of the rules of that establishment by leaving without giving proper notice, and can, therefore, be prosecuted before a Munitions Tribunal. It should further be noted that the making of false statements and representations in certain cases is an offence punishable before an ordinary police court under Section 14 of the

Amending Act, where penalties are also prescribed for altering or tampering with a leaving certificate.

Any breach of the Leaving Certificates Rules is an offence punishable with a fine not exceeding £5 in respect of each offence, and such offences are within the jurisdiction of a Local Munitions Tribunal.

Ministry of Munitions,
6, Whitehall Gardens, S.W.

January 1917.

APPENDIX

Definition of Munitions Work

Section 9 of the amending Act defines munitions work as follows :—

“ The expression ‘ munitions work ’ for the purposes of the principal Act and this Act means—

- (a) The manufacture or repair of arms, ammunition, ships, vessels, vehicles, and aircraft, and any other articles or parts of articles (whether of a similar nature to the aforesaid or not) intended or adapted for use in war, and of any other ships or vessels, or classes of ships or vessels, or parts of ships or vessels, which may be certified by the Board of Trade to be necessary for the successful prosecution of the war, and of any metals, machines, or tools required for any such manufacture or repair, and of the materials, of any class specified in an order made for the purpose by the Minister of Munitions, required for, or for use in, any such manufacture or repair as aforesaid ; and
- (b) The construction, alteration or repair of works of construction and buildings for naval or military purposes, and of buildings in which munitions work is or is intended to be carried on, and the erection of machinery and plant therein, and the erection of houses for the accommodation of persons engaged or about to be engaged on munitions work ; and
- (c) The construction, alteration, repair, or maintenance of docks and harbours and work in estuaries in cases where such construction, alteration, repair, maintenance, or work is certified by the Admiralty to be necessary for the successful prosecution of the war ; and
- (d) The supply of light, heat, water, or power or the supply of tramways facilities in cases where the Minister of Munitions certifies that such supply is of importance for the purpose of carrying on munitions work, and the erection of buildings, machinery, and plant required for such supply ; and
- (e) The repair of fire engines and any other fire brigade appliances in cases where the Minister of Munitions certifies that such repair is necessary in the national interest.”

(Information as to the Orders and certificates made in connection with the above may be obtained on application to the department (Ministry of Munitions, Board of Trade, Admiralty) concerned in each case.)

APPENDIX 14

STATUTORY RULES AND ORDERS, 1917, No. 1050

MUNITIONS OF WAR

ABOLITION OF LEAVING CERTIFICATES

THE MUNITIONS (ABOLITION OF LEAVING CERTIFICATES) ORDER, 1917,
DATED OCTOBER 5, 1917, MADE BY THE MINISTER OF MUNITIONS IN
PURSUANCE OF THE MUNITIONS OF WAR ACTS, 1915 TO 1917.

WHEREAS by section 2 of the Munitions of War Act, 1917, it is provided (*inter alia*) that the Minister of Munitions, on being satisfied that the provisions of section 7 of the Munitions of War Act, 1915, as amended by any subsequent enactment can consistently with the national interests be repealed, may by order repeal those provisions and that thereupon the following provisions shall have effect in lieu thereof :—

- (1) It shall not be lawful for a person without the consent of the Minister of Munitions to give employment to a workman who has, since the passing of this Act, been employed—
 - (a) on or in connection with munitions work of a class specified in paragraph (a) of subsection (1) of section nine of the Munitions of War (Amendment) Act, 1916 ; or
 - (b) on or in connection with munitions work of any other class which may be specified in an order of the Minister of Munitions

where the work on which he is to be employed is not work on or in connection with munitions work.

And Whereas it is also provided by the said section that the consent of the Minister of Munitions for the purposes of this provision may be given either as respects an individual case or generally as respects work or workmen of any particular class or description.

And Whereas the Minister of Munitions is satisfied that the provisions of section 7 of the Munitions of War Act, 1915, as amended by any subsequent enactment can consistently with the national interests be repealed.

Now, therefore, the Minister of Munitions in pursuance of the powers vested in him by the Munitions of War Acts, 1915 to 1917, hereby orders and directs as follows :—

1. The provisions of section 7 of the Munitions of War Act, 1915, as amended by any subsequent enactment are hereby repealed.
2. It shall be lawful for a person to employ a woman on work which is not work on or in connection with munitions work notwithstanding that she may have since the passing of the Munitions of War Act, 1917, been employed on or in connection with munitions work of a class specified in paragraph (a) of subsection (1) of section nine of the Munitions of War (Amendment)

Act, 1916, or on or in connection with munitions work of any other class which may hereafter be specified in an order of the Minister of Munitions, it being hereby expressly declared that the consent of the Minister of Munitions for this purpose is given generally as respects women.

3. The repeal effected by this Order shall not affect the validity of any directions given by the Minister of Munitions under section 6 of the Munitions of War (Amendment) Act, 1916, and in force at the date of this Order, and those directions are hereby confirmed.
4. This Order shall come into operation on the fifteenth day of October, 1917.
5. This Order may be cited as the Munitions (Abolition of Leaving Certificates) Order, 1917.

Dated this 5th day of October, 1917.

WINSTON S. CHURCHILL,
Minister of Munitions.

APPENDIX 15

STATUTORY RULES AND ORDERS, 1918, No. 937

MUNITIONS OF WAR

EXTENSION OF AWARDS

THE MUNITIONS (EXTENSION OF AWARDS) ORDER NO. 17, DATED 12 AUGUST 1918, MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF SECTION 5 OF THE MUNITIONS OF WAR ACT, 1917 (7 & 8 GEO. 5, c. 45).

WHEREAS Section 5 of the Munitions of War Act, 1917, provides as follows :—

5.—(1) Where an award as to a change in the rate of wages payable to persons engaged on or in connection with munitions work, or as to hours of work or otherwise as to terms or conditions of or affecting employment of persons so engaged, has been made either under Part I of the Munitions of War Act, 1915, or in pursuance of an agreement between representatives of employers and workmen, and the Minister of Munitions is satisfied that the award is binding upon employers employing the majority of the persons engaged on or in connection with munitions work in any trade or branch of a trade either generally or in a particular district, the Minister of Munitions may by order direct that the award shall be binding on all or any other employers and persons so engaged, either without modifications or subject in any particular cases to such modifications contained in the direction as

the Minister may consider necessary to adapt the award to the circumstances of such cases, and in particular in order that no such other employer shall be enabled to pay less wages than are payable in the like circumstances by employers who were originally bound by the award

(2) Where any such directions are given the award shall be binding not only on the employers and persons so engaged who are affected by the award as originally made, but also, subject to such modifications (if any) as aforesaid, on the other employers and persons so engaged to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable in like manner as if the award and the order in which such directions are contained were an award made in settlement of a difference under Part I of the Munitions of War Act, 1915, and had been made in respect of a dispute affecting such employers and persons so engaged.

And whereas the Award, dated 24th July 1918, of the Committee on Production, made for the Engineering and Foundry Trades, the finding wherein is given in the First Schedule, Part 1, hereto appended, is an Award made in pursuance of an agreement between representatives of employers and workmen, namely the Engineering Employers' Federation and the Trade Unions named in the First Schedule, Part 2;

And whereas the Minister of Munitions is satisfied that the said award is binding upon employers employing the majority of the persons engaged on or in connection with munitions work in the Engineering and Foundry Trades;

Now, therefore, the Minister of Munitions in pursuance of the powers vested in him by Section 5 of the Munitions of War Act, 1917, and of all other powers enabling him in this behalf hereby orders and directs that the said award shall be binding not only on the employers and persons who are affected by the award as originally made, but also on the employers named in the Second Schedule hereto and the persons employed by them engaged on or in connection with munitions work in the said trades.

This Order may be cited as "The Munitions (Extension of Awards) Order No. 17."

Dated 12 August 1918.

Signed on behalf of the Minister of Munitions.

HUMBERT WOLFE,
Assistant Secretary.

First Schedule, Part 1

FINDING OF THE COMMITTEE ON PRODUCTION IN AN AWARD, DATED
24TH JULY 1918, FOR THE ENGINEERING AND FOUNDRY TRADES

6. That in addition to the special general advances of 5s., 3s. and 5s. per week given under the awards of 1st March, 14th July, and 6th November 1917 respectively, the men concerned aged 18 years and over shall

receive 3s. 6d. per full ordinary week, making the total special advances 16s. 6d. per week since the beginning of 1917.

7. To boys and youths and apprentices under 18 years of age there shall be paid 1s. 9d. per full ordinary week. Boys and youths and apprentices on attaining the age of 18 shall receive a further advance of 1s. 9d.

8. In regard to the claim that boys and apprentices who reach the age of 18 subsequent to the issue of this award shall receive the full war wage advances given to men by the earlier awards, the Committee understand that it has been the practice of firms to engage boys and apprentices under 18 years of age at the usual starting rates of wages plus a special advance of 6s. 6d. per week (the advances of 2s. 6d., 1s. 6d. and 2s. 6d. given under the general awards of the Committee), and to increase this special advance to 13s. per week when the boys and apprentices reach the age of 18. The Committee are of opinion that this practice should be uniform in future and that the special advance hereafter payable to boys and apprentices under 18 should be 8s. 3d. per week (inclusive of the present award) and that the special advance payable to boys and apprentices over 18 should be 16s. 6d. per week (inclusive of the present award). In the case of boys engaged since 1st April 1917 at rates which included the amount due in respect of the special advances, the firms concerned shall be entitled to make the necessary modifications in applying the present ruling.

9. In the case of piece-workers, premium bonus workers, and other men working on systems of payment by results, the amount is to be paid by the firms at the rate of 3s. 6d. per full ordinary week over and above the week's earnings of the men concerned, calculated on the present basis.

10. The advances hereby awarded are to be paid on the pay day in the week ending 10th August, and are to be payable in respect of the pay period for which payment is made on that pay day.

11. The amounts hereby awarded are to be taken into account in the calculation of payment for overtime or night duty or for work on Sundays and holidays, but they are not otherwise to apply to or affect present time rates, premium bonus rates, or piecework prices, and are not to be taken into account as part of the time rates for the purpose of fixing new piece-work prices or bonus rates.

12. This award shall not apply in those cases in which it has been the practice to regulate the wages of the men concerned by the movements in the wages of men of a similar class employed in trades other than the engineering and foundry trades.

13. The amounts hereby awarded are to be regarded as war advances intended to assist in meeting the increased cost of living and are to be recognized as due to and dependent on the existence of the abnormal conditions now prevailing in consequence of the war.

14. Applications for special advances in certain districts made in accordance with the second paragraph of clause (1) of the agreement between the Engineering Employers' Federation and the Unions have still to be considered by the Committee.

15. This award does not apply to Ireland; the Engineering Employers' Federation have submitted a claim for special consideration on behalf of the Federated firms in Ireland and this claim will be heard by the Committee in the course of a few days.

First Schedule, Part 2

LIST OF TRADE UNIONS PARTIES TO THE SAID AWARD

Amalgamated Society of Engineers.
Steam Engine Makers' Society.
Society of Amalgamated Toolmakers.
United Machine Workers' Association.
Iron Founders' Society.
Boilermakers' and Iron and Steel Shipbuilders' Society.
United Kingdom Society of Amalgamated Smiths and Strikers.
United Patternmakers' Association.
Scientific Instrument Makers' Trade Society.
Electrical Trades Union.
Shipconstructors' and Shipwrights' Association.
National Brassworkers and Metal Mechanics.
United Journeymen Brassfounders, Fitters, Turners, &c.
National Society of Coppersmiths, Braziers, and Metal Workers.
British Steel Smelters', &c., Association.
National Amalgamated Sheet Metal Workers and Braziers.
Amalgamated Society of Carpenters and Joiners.
Associated Blacksmiths' and Iron Workers' Society.
Amalgamated Society of Coremakers.
Amalgamated Society of Woodcutting Machinists.
General Ironfitters' Association.
General Union of Braziers and Sheet Metal Workers.
Scottish Painters' Society.
Sheet Iron Workers' and Light Platers' Society.
Amalgamated Society of House and Ship Painters.
General Union of Carpenters and Joiners.
Operative Bricklayers' Society.
United Kingdom Society of Coachmakers.
London United Brass and General Metal Founders' Union.
Amalgamated Union of Cabinet Makers.
London and Provincial Coachmakers' Trade Union.
National Amalgamated Furnishing Trades Association.
Amalgamated Society of Wheelwrights, Smiths, and Motor Body Builders.
National Union of General Workers.
National Amalgamated Union of Labour.
Iron, Steel and Metal Dressers Trade Society.
Amalgamated Machine Engine and Iron Grinders.
Workers' Union.
National Amalgamated Union of Enginemen, Firemen, &c.
Dock, Wharf, Riverside and General Workers' Union.
Amalgamated Moulders' Union.
National Amalgamated Labourers' Union of Great Britain and Ireland.
Winding and General Engineers' Society.
Northern United Enginemen's Association.
Amalgamated Society of Gas, Municipal, and General Workers.
London Society of Amalgamated Brass Workers.
National Union of Operative Heating and Domestic Engineers.
Wheelwrights' and Coachmakers' Operatives' Union (London).

Amalgamated Society of Railway Vehicle Builders, Wheelwrights, Carpenters and Mechanics.
 West of Scotland Brass Turners', Fitters', Finishers' and Instrument Makers' Society.

Second Schedule
 [LIST OF ESTABLISHMENTS]

APPENDIX 16

(ii) CIRCULAR L 3

RELATING TO THE EMPLOYMENT AND REMUNERATION OF SEMI-SKILLED AND UNSKILLED MEN ON MUNITION WORK OF A CLASS WHICH PRIOR TO THE WAR WAS CUSTOMARILY UNDERTAKEN BY SKILLED LABOUR GENERAL

1. Operations on which skilled men are at present employed, but which by reason of their character can be performed by semi-skilled or unskilled labour, may be done by such labour during the period of the war.
2. Where semi-skilled or unskilled male labour is employed on work identical with that customarily undertaken by skilled labour, the time rates and piece prices and premium bonus times shall be the same as customarily obtain for the operations when performed by skilled labour.
3. Where skilled men are at present employed they shall not be displaced by less skilled labour unless other skilled employment is offered to them there or elsewhere.
4. Piecework prices and premium bonus time allowances, after they have been established, shall not be altered unless the means or method of manufacture are changed.
5. Overtime, night shift, Sunday and holiday allowances shall be paid to such machinemen on the same basis as to skilled men.

Time Ratings for the Manufacture of complete shell and fuses and cartridge cases, where not hitherto customary.

6. Where the manufacture of this class of munitions was not customarily undertaken by the establishment prior to the war, the following time ratings shall apply :—
 - (a) Semi-skilled and unskilled men of 21 years of age and over, when engaged as machinemen on the above manufacture, shall be paid a time rate of 10s. per week lower than the time rate for turners, including war bonuses, engaged in the engineering trade of the district, but in no case shall the rate paid to such men be less than 28s. per week of the normal district hours. This rate also includes all war bonuses already granted.

- (b) Where a semi-skilled or unskilled man of 21 years of age and over has had no experience previously of the operation he is called upon to perform, his starting rate shall be 26s. per week, which shall be paid during his period of training, but such period shall not exceed two months from the date at which he commenced work as a machineman.
- (c) The time rates payable to setters up shall be not less than ■■ follows :—
- Setting up of fuse-making machines, 10s. per week over the current district time rate for turners.
- Setting up of shell-making machines, 5s. per week over the current district time rate for turners.
- These extras are in addition to any war bonuses which have been granted.

INTERPRETATION

7. Any question which arises as to the interpretation of these Recommendations shall be determined by the Minister of Munitions.

October, 1915.

APPENDIX 1⁷¹

STATUTORY RULES AND ORDERS, 1917, No. 1301

MUNITIONS OF WAR

REMUNERATION FOR WORK PAID AT TIME RATES

THE TIMEWORKERS (ENGINEERING AND FOUNDRY) WAGES ORDER, 1917,
DATED DECEMBER 11TH, 1917, MADE BY THE MINISTER OF MUNI-
TIONS IN PURSUANCE OF SECTION 1 OF THE MUNITIONS OF WAR ACT,
1917 (7 & 8 GEO. 5, c. 45).

WHEREAS the Minister of Munitions considers it necessary in order to maintain the output of munitions that directions should be given with respect to the remuneration to be paid to workmen of the class specified in paragraph 3 of this Order for work being munitions work which at the time when these directions are given is paid at time rates.

Now, therefore, the Minister of Munitions in pursuance of the powers conferred upon him by Section 1 of the Munitions of War Act, 1917, and of all other powers vested in him by the Munitions of War Acts, 1915 to 1917, hereby orders that the following directions shall have effect with respect to the remuneration to be paid to workmen of the class specified in paragraph 3 of this Order for work being munitions work which at the time when these directions are given is paid at times rates.

1. Workmen to whom these directions apply shall receive a bonus of

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$12\frac{1}{2}$ per cent. on their earnings which shall not alter or become part of their time rates.

2. The bonus payable under these directions shall accrue as from the beginning of the first full pay following the twelfth day of October, 1917, and the first payment thereof shall be made not later than the full pay day in the week ending December 22, 1917.

3. These directions apply, subject to the provisions of paragraphs 4, 5 and 6, only to workmen who are engaged in engineering shops, boiler shops or foundries in the establishments specified in the Schedule hereto and are employed by the owners of such establishments on work being munitions work and are paid as plain time workers (and not otherwise) and are not in receipt of any allowance or bonus other than :—

(a) An allowance or bonus wholly dependent on time keeping.

(b) An allowance or bonus (not being a bonus on output) less favourable to such workmen than the bonus payable under these directions, in which case the existing allowance or bonus shall merge in the bonus payable under these directions.

(c) A war advance given to meet the cost of living as the result of or in conformity with arbitration under Part 1 of the Munitions of War Act, 1915.

4. These directions shall not apply to workmen of the class specified in paragraph 3 of this Order whose wages it has been the practice to regulate by the movements in the wages of men employed in trades other than the Engineering and Foundry trades.

5. These directions shall not apply to workmen paid a wage or salary not dependent on time worked or an upstanding wage or salary which covers overtime or other allowances.

6. These directions shall not apply to fully qualified skilled engineers and moulders of the class specified in the Skilled Timeworkers (Engineers and Moulders) Wages Order, 1917, nor to workmen of the Class specified in the Timeworkers (Shipbuilding and Ship-repairing) Wages Order, 1917, nor to skilled aircraft woodworkers.

7. The term "workmen" in these directions means male workmen of 21 years of age and over.

8. Nothing in the foregoing provisions shall affect the present basis of determining piecework prices or premium bonus times or any other system of payment by results.

9. Where a difference has arisen respecting matters on which the Minister of Munitions has given directions under this Order the difference shall be referred for settlement to the Special Arbitration Tribunal constituted for the purpose under Section 8 of the Munitions of War (Amendment) Act, 1916.

10. Any contravention of or non-compliance with these directions is punishable in like manner as if this Order was an Award made in settlement of a difference under Part 1 of the Munitions of War Act, 1915.

11. These directions may be varied by the Minister of Munitions from time to time but shall not continue in force after the termination of the present war.

12. Any question which arises as to the interpretation of these directions shall be determined by the Minister of Munitions.

This Order may be cited as "The Timeworkers (Engineering and Foundry) Wages Order, 1917."

Dated this 11th day of December, 1917.

H. WOLFE,
Assistant Secretary.

Ministry of Munitions,
6, Whitehall Gardens,
London, S.W.1.

Schedule

LIST OF ESTABLISHMENTS

APPENDIX 18¹

STATUTORY RULES AND ORDERS, 1918, No. 187

MUNITIONS OF WAR

REMUNERATION OF SKILLED AIRCRAFT WOODWORKERS
EMPLOYED AS TIMEWORKERS

THE SKILLED AIRCRAFT WOODWORKERS' WAGES ORDER, 1918, DATED 8TH FEBRUARY, 1918, MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF SECTION 1 OF THE MUNITIONS OF WAR ACT, 1917 (7 & 8 GEO. 5, c. 45).

WHEREAS the Minister of Munitions considers it necessary in order to maintain the output of munitions that the directions hereinafter contained should be given with respect to the remuneration of skilled aircraft woodworkers as defined in these directions employed as timeworkers on munitions work.

Now, therefore, the Minister of Munitions, in pursuance of the powers conferred upon him by Section 1 of the Munitions of War Act, 1917, and of all other powers vested in him, hereby orders that the following directions shall have effect in the establishments set out in the Schedule hereto:—

(1) The term Skilled Aircraft Woodworkers in these directions means skilled woodworkers employed in an establishment engaged in the manufacture or repair of aeroplanes or seaplanes, directly on such manufacture or repair, being handcraftsmen or general woodcutting machinists who have been working four years on woodcutting machines.

(2) The minimum or standard district rate of either Cabinet Makers or Coach Makers or House Carpenters and Joiners, whichever may have

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been the highest in force in each district on the 1st of November 1917, shall as from that date become the minimum or standard district rate for skilled aircraft woodworkers employed as timeworkers. In no case shall the minimum rate in any district be less than 1s. per hour. Provided that the minimum or standard district rate for skilled aircraft woodworkers engaged as spindle hands or all-round machinists shall be 1d. per hour higher than the minimum or standard district rate.

(3) The rate so fixed shall include all existing war wages or war bonuses given previously to the 1st November 1917, but nothing in these directions shall enable an employer to reduce the wages of any workman in his employ at the date of this Order who is at that date receiving a rate of wages including war wages or war bonuses more favourable than the standard district rate hereby prescribed or prevent an employer from recognising special ability or responsibility.

(4) The following allowances shall be paid except as provided for in paragraph (5):—

Overtime shall be computed as follows:—

Monday to Friday.—First two hours Time-and-Quarter; thereafter to midnight Time-and-Half; after midnight till starting time next morning Double Time.

Saturday afternoon.—First three hours worked Time-and-Half; thereafter Double Time.

Sunday and in England and Ireland Christmas Day and Good Friday, in Scotland New Year's Day and Spring Holiday, Double Time.

Other recognised district holidays, Time-and-Half.

For the computation of overtime the working week shall be 53 hours or such shorter time as may have constituted the working week in the establishment concerned immediately before the date of this Order. Provided, further, that in an establishment where immediately before the date of this Order the working week exceeded 53 hours the excess hour or hours shall, if so required by the employer, be worked at the overtime allowance payable under these directions in that establishment. In shops where overtime is computed on a daily basis overtime rates shall not be paid until the full ordinary day has been worked, unless the loss of time is not due to the workman's own fault.

Night Shifts, Time-and-Quarter for all hours worked.

(5) The allowances in respect of overtime and night shift prescribed in paragraph 4 shall not apply to:—

A. Establishments in which the allowances paid to skilled aircraft woodworkers immediately before the date of this Order are more favourable than those prescribed in paragraph 4. In such establishments the existing allowances shall continue to be paid.

B. Establishments which prior to August 1914 were recognised as engineering establishments, that is to say, which followed engineering practice and conditions. In such establishments the allowances to be paid for overtime and night shifts shall be those fixed by custom, or agreement between Employers and Trade Unions, for men in the engineering trade.

(6) These directions shall not apply to skilled aircraft woodworkers employed in a shipbuilding or ship-repairing establishment.

(7) These directions shall be without prejudice to any award made hereafter under the provisions of Part 1 of the Munitions of War Act, 1915, upon any reference relating to woodworkers and woodcutting machinists engaged on aircraft work as an industry separate and distinct from any other trade.

(8) Any contravention of or non-compliance with these directions is punishable in like manner as if this Order was an award made in settlement of a difference of the Munitions of War Act, 1915.

(9) These directions may be varied by the Minister of Munitions from time to time, but shall not continue in force after the termination of the present war.

(10) Any question which arises as to the interpretation of these directions shall be determined by the Minister of Munitions.

(11) These directions shall in respect of paragraphs (2) and (3) operate as from the 1st November 1917, and in respect of paragraphs (4) as from the beginning of the first full pay following the 7th February 1918.

WINSTON S. CHURCHILL.

8th February 1918.

Ministry of Munitions,

6, Whitehall Gardens, S.W.1.

Schedule.

LIST OF ESTABLISHMENTS

APPENDIX 19¹

STATUTORY RULES AND ORDERS, 1916, No. 704

MUNITIONS OF WAR

EMPLOYMENT AND REMUNERATION

THE MUNITIONS (EMPLOYMENT AND REMUNERATION OF WOMEN ON MEN'S WORK) ORDER NO. 4, DATED SEPTEMBER 28, 1916, MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF SECTION 6 OF THE MUNITIONS OF WAR (AMENDMENT) ACT, 1916 (5 & 6 GEO. 5, c. 99).

WHEREAS Section 6 of the Munitions of War (Amendment) Act, 1916, provides as follows :—

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6.—(1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act as amended by this Act are for the time being applied by an order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

2. Any directions given by the Minister of Munitions under this section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I of the principal Act.

3. No direction given under this section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply with the provisions of the Factory and Workshops Acts, 1901 to 1911, or of any orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so, however, that no person be twice punished for the same offence.

And whereas the establishments named in the Second Schedule hereto are establishments of a class to which the provisions of Section 7 of the principal Act, as amended by the Munitions of War (Amendment) Act, 1916, are for the time being applied by an order made thereunder. Now, therefore, in pursuance of the above-mentioned powers, the Minister of Munitions hereby orders and directs that the directions contained in the First Schedule hereto regarding the wages of female workers employed on or in connection with munitions work shall take effect and be binding upon the owners of the establishments named in the Second Schedule hereto and any contractor or sub-contractor employing labour in any such establishment and the female workers to whom the directions relate as from October 16th, 1916.

This Order may be cited as "The Munitions (Employment and Remuneration of Women on Men's Work) Order No. 4."

Dated this 28th day of September, 1916.

Signed on behalf of the Minister of Munitions.

H. LLEWELLYN SMITH,
General Secretary.

Ministry of Munitions of War,
6, Whitehall Gardens,
London, S.W.

First Schedule

DIRECTIONS RELATING TO THE EMPLOYMENT AND REMUNERATION OF WOMEN ON MUNITIONS WORK OF A CLASS WHICH PRIOR TO THE WAR WAS NOT RECOGNISED AS WOMEN'S WORK IN DISTRICTS WHERE SUCH WORK WAS CUSTOMARILY CARRIED ON

(*NOTE.—These Directions are on the basis of the setting up of the Machines being otherwise provided for. They are strictly confined to the War period and are subject to the observance of the provisions of Schedule II of the Munitions of War Act.*)

1. Women of 18 years of age and over employed on time, on work customarily done by men, shall be rated at £1 per week, reckoned on the usual working hours of the district in question for men in Engineering Establishments.

This, however, shall not apply in the case of women employed on work customarily done by fully-skilled tradesmen, in which case the women shall be paid the time rates of the tradesmen whose work they undertake. Overtime and night-shift and Sunday and holiday allowances payable to men shall also be made to women.

2. Where women are prevented from working, owing to breakdown, air raid, or other cause beyond their control, they shall be paid for the time so lost at the rate of 15s. a week as above unless they are sent home.

3. Women shall not be put on piece-work or premium bonus systems until sufficiently qualified. The period of qualification on shell work shall not, in general case, exceed three to four weeks.

4. Where women are employed on piece-work they shall be paid the same piece-work prices as are customarily paid to men for the job.

5. Where women are engaged on premium bonus systems, the time allowed for a job shall be that customarily allowed to men for the same job, and the earnings of the women shall be calculated on the basis of the man's time rate.

6. Where the job in question has not hitherto been done on piece-work or premium bonus system in the establishment, the piece-work price, or the time allowed, shall be based on a similar job previously done by men on piece-work or premium bonus system, as the case may be.

7. Where in the establishment in question there are no data from previous operations to enable the parties to arrive at a piece-work price or time to be allowed, the price or the time to be allowed shall be so adjusted that the women shall receive the same percentage over the time rate of the class of men customarily employed on the job as such man would have received had he undertaken the job on piece-work or premium bonus system, as the case may be.

8. The principle upon which the directions proceed is that on systems of payment by results equal payment shall be made to women as to the men for an equal amount of work done.

9. Piece-work prices and premium bonus basis times shall be fixed by mutual agreement between the employer and the woman or women who perform the work.

10. On piece-work, every woman's time rate, as per Clause 1 hereof, shall be guaranteed irrespectively of her piece-work earnings. Debit balances shall not be carried forward beyond the usual weekly period of settlement.

11. On premium bonus systems, every woman's time rate as per Clause 1 hereof shall in all cases be paid.

12. Overtime and night shift and Sunday and holiday allowance shall be paid to women employed on piece-work or premium bonus system on the same conditions as now prevail in the case of men in the district in question for time work.

13. Piece-work prices and premium bonus time allowances after they have been established shall not be altered unless the means or method of manufacture are changed.

14. All wages and balances shall be paid to women through the office.

15. Any question which arises as to the interpretation of these directions shall be determined by the Minister of Munitions.

Second Schedule

LIST OF ESTABLISHMENTS

APPENDIX 20¹

STATUTORY RULES AND ORDERS, 1916, No. 447

MUNITIONS OF WAR

REMUNERATION OF WOMEN AND GIRLS ON MUNITION WORK OF A CLASS NOT RECOGNIZED AS MEN'S WORK

ORDER, DATED JULY 6, 1916, OF THE MINISTER OF MUNITIONS MADE IN PURSUANCE OF SECTION 6 OF THE MUNITIONS OF WAR (AMENDMENT) ACT, 1916 (5 & 6 GEO. 5, c. 99)

WHEREAS Section 6 of the Munitions of War (Amendment) Act, 1916, provides as follows :—

6.—(1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act as amended by this Act are for the time being applied by an order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

(2) Any directions given by the Minister of Munitions under this section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I of the principal Act.

(3) No direction given under this section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply

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with the provisions of the Factory and Workshops Acts, 1901 to 1911, or of any orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so however that no person be twice punished for the same offence.

And whereas the establishments named in the 2nd Schedule hereto are establishments of a class to which the provisions of Section 7 of the Principal Act, as amended by the Munitions of War (Amendment) Act, 1916, are for the time being applied by an order made thereunder. Now, therefore, in pursuance of the above-mentioned powers, the Minister of Munitions hereby orders and directs that the directions contained in the 1st Schedule hereto regarding the wages of female workers employed on or in connection with munitions work shall take effect and be binding upon the owners of the establishments named in the 2nd Schedule hereto and any contractor or sub-contractor employing labour in any such establishment and the female workers to whom the directions relate as from July 17th, 1916.

Dated this 6th day of July, 1916.

Signed on behalf of the Minister of Munitions,

H. LLEWELLYN SMITH,
General Secretary.

Ministry of Munitions of War,
6, Whitehall Gardens,
London, S.W.

First Schedule

DIRECTIONS RELATING TO THE REMUNERATION OF WOMEN AND GIRLS ON MUNITION WORK OF A CLASS WHICH PRIOR TO THE WAR WAS NOT RECOGNISED AS MEN'S WORK IN DISTRICTS WHERE SUCH WORK WAS CUSTOMARILY CARRIED ON

1. Where women or girls are engaged on Munition work of a class which prior to the war was not recognised as men's work in districts where such work was customarily carried on, the time rates for piece-workers and premium bonus workers shall be as follows :—

Workers 18 years and over	4d. per hour.
„ 17 „ „ under 18 ..	3½d. „
„ 16 „ „ „ 17 ..	3d. „
„ under 16 years	2½d. „

2. The rates for such women and girls when customarily on time shall be as follows :—

Workers 18 years and over	4½d. per hour.
„ 17 „ „ under 18 ..	4d. „
„ 16 „ „ „ 17 ..	3½d. „
„ under 16 years	3d. „

3. Women and girls in danger zones shall be paid ½d. per hour in addition to the above rates. Allowances for other processes which are dangerous or injurious to health will be decided on the merits of such cases.

4. The appropriate time-rate shall, in the case of any woman or girl on piece-work, be guaranteed irrespective of her piece-work earnings. Debit balances shall not be carried forward from one week to another.

5. On premium bonus systems every woman's and girl's appropriate time-rate shall in all cases be paid.

6. Women or girls shall not be put on piece-work or premium bonus systems until sufficiently qualified. The period of qualification should not generally exceed four weeks.

7. The above rates shall be recognised as war rates, and as due to and depending on the exceptional conditions resulting from the present war.

8. The foregoing rates shall not operate to prejudice the position of any person who has better terms and conditions, nor prevent employers from recognising special ability or responsibility.

9. For the purpose of this Schedule the term "men" means males of 18 years of age and over.

10. Any question which arises as to the interpretation of these provisions shall be determined by the Minister of Munitions.

Second Schedule

LIST OF ESTABLISHMENTS

APPENDIX 21¹

STATUTORY RULES AND ORDERS, 1918, No. 546

MUNITIONS OF WAR
EMPLOYMENT AND REMUNERATION

THE CONSOLIDATED WOMEN'S WAGES ORDER, DATED MAY 8, 1918, MADE BY THE MINISTER OF MUNITIONS IN PURSUANCE OF SECTION 6 OF THE MUNITIONS OF WAR (AMENDMENT) ACT, 1916 (5 & 6 GEO. 5, c. 99), AS AMENDED BY SECTION 4 OF THE MUNITIONS OF WAR ACT, 1917 (7 & 8 GEO. 5, c. 45)

THE Minister of Munitions in pursuance of Section 6 of the Munitions of War (Amendment) Act, 1916, as amended by Section 4 of the Munitions of War Act, 1917, and of all other powers enabling him in that behalf hereby orders and directs that the directions contained in the First Schedule hereto regarding the wages of female workers employed on munitions work shall take effect and be binding upon the owners of the establishments named in the Second Schedule hereto and any contractor or sub-contractor employing labour in any such establishment and the female workers to whom the directions relate.

Dated this 8th day of May, 1918.

WINSTON S. CHURCHILL.

Ministry of Munitions,
6, Whitehall Gardens,
London, S.W.1.

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*First Schedule***DIRECTIONS RELATING TO THE REMUNERATION OF
WOMEN AND GIRLS FOR MUNITIONS WORK**

NOTE.—These directions are confined to the War period, and are subject to the observance of the provisions of Schedule II of the Munitions of War Act, 1915

PART I.—WORK OF A CLASS WHICH PRIOR TO THE WAR WAS CUSTOMARILY DONE BY MEN IN DISTRICTS WHERE SUCH WORK WAS CARRIED ON*Time Workers*

1. Women employed on work customarily done by men shall be paid not less than 6d. per hour, with a minimum of 24s. per week. Where the working week is less than 48 hours, 24s. shall be paid for the working week and for additional hours up to 48.

2. Women employed on work of a class customarily done by semi-skilled men shall be paid according to the nature of the work and the ability of the women.

3. (a) Women employed on the work customarily done by fully-skilled tradesmen shall in all cases be paid as from commencement the time-rates of the tradesmen whose work they undertake.

(b) A woman shall be considered as not employed on the work customarily done by fully-skilled tradesmen, but a part only thereof, if she does not do the customary setting up or, when there is no setting up, if she requires skilled supervision to a degree beyond that customarily required by fully-skilled tradesmen undertaking the work in question.

(c) Women who undertake part only of the work customarily done by fully-skilled tradesmen shall serve a probationary period of three months. The wages of such women for this period shall be reckoned as follows :—

They shall be rated for a period of four weeks at the time-rate of wages to which they were entitled under these directions when employed on time, and from that rate shall then rise from the beginning of the fifth week until the end of the thirteenth week by equal weekly increases to the district time-rate of the fully-skilled tradesman, and shall thereafter be rated at the district time rate of the tradesman whose work they are in part undertaking.

(d) In any case where it is established to the satisfaction of the Minister that additional cost is being incurred by extra setting up or skilled supervision due to the employment of women in place of fully skilled tradesmen, the rates payable to women under these directions may, with the sanction of the Minister, be subject, for so long as such additional cost is incurred, to deductions not exceeding 10 per cent. to meet such additional cost. Provided that no woman shall in any case be paid at lower rates than those prescribed by paragraph 1 of these directions.

(e) No woman shall be called upon to serve more than one probationary period.

(f) Every woman who has served the probationary period shall receive from her employer a certificate to that effect.

(g) Any time immediately before the date on which these directions

take effect during which a woman has been employed on part of the work customarily done by fully-skilled tradesmen shall be reckoned in diminution or extinction as the case may be of the probationary period prescribed by these directions.

4. Girls under 18 years of age employed as time-workers on work customarily done by men shall be paid as follows :—

Working Week	Age			
	17 to 18 years	16 to 17 years	15 to 16 years	Under 15 years
	s. d.	s. d.	s. d.	s. d.
48 hours	20 0	18 0	16 0	14 0
49 hours	20 6	18 6	16 6	14 6
50 hours	21 0	19 0	17 0	15 0
51 hours	21 6	19 6	17 6	15 6
52 hours	22 0	20 0	18 0	16 0
53 hours	22 6	20 6	18 6	16 6
54 hours	23 0	21 0	19 0	17 0

and so on for working weeks in excess of 54 hours.

Where the working week is less than 48 hours, the rate above prescribed for 48 hours shall be paid for the working week and for additional hours up to 48.

Workers on Systems of Payment by Results

5. The principle upon which the following directions proceed is that, on systems of payment by results, equal payment shall be made to women as to the men for an equal amount of work done.

6. Women employed on piece-work shall be paid the piece-work prices customarily paid for the same or similar work when done by men.

7. Women employed on premium bonus system shall be allowed the time customarily allowed to men for the same or similar work, and their earnings shall be calculated on the basis time rate used in the case of men.

8. Where in the establishment in question there are no data from previous operations to enable the parties to arrive at a piece-work price or time allowance, the price or time allowance shall be so adjusted that a woman would receive the same percentage over the time rate of the class of men customarily employed on the job as such man would have received had he undertaken the job on piece-work or premium bonus system as the case may be.

9. Girls under 18 years of age employed as piece-workers or premium bonus workers on work of a class customarily done by men shall be paid as follows :—

(a) In the case of piece-workers :—

17 to 18 years—the piece-work price paid or allowed for the same or similar work when customarily done by men, less 10 per cent.

16 to 17 years—Ditto, less 20 per cent.

Under 16 years—Ditto, less 30 per cent.

(b) In the case of premium bonus workers :—

17 to 18 years—the time allowed shall be that customarily allowed to men for the same or similar work, and the earnings of the girls shall be calculated on the basis of the man's time rate, less 10 per cent.

16 to 17 years—Ditto, less 20 per cent.

Under 16 years—Ditto, less 30 per cent.

PART II.—WORK OF A CLASS WHICH PRIOR TO THE WAR WAS NOT RECOGNISED AS MEN'S WORK IN DISTRICTS WHERE SUCH WORK WAS CARRIED ON

Time-Workers

10. Women and girls shall be paid as follows :—

					<i>Per Hour.</i>
Women,	18 years and over	..	..	..	$5\frac{1}{2}d.$
Girls,	17 " " under 18	..	..	..	$4\frac{1}{2}d.$
"	16 " " 17	..	..	..	$3\frac{1}{2}d.$
"	15 " " 16	..	..	..	$3d.$
"	under 15 years	..	..	..	$2\frac{1}{2}d.$

11. In an establishment in which a custom prevailed prior to the war of differentiating between the rates of wages paid to women and girls employed in warehouses and those otherwise employed, an application may be made to the Minister of Munitions for special directions as to the rates of wages to be paid to women and girls employed in warehouses.

12. Women and girls may be rated at $\frac{1}{2}d.$ per hour less than their appropriate time rate under paragraph 10 for probationary periods not exceeding one month from the date when they are first employed, and no woman or girl shall be called upon to serve more than one probationary period.

Workers on Systems of Payment by Results

13. Piece-work prices and premium bonus time allowances shall be such as to enable every woman or girl of ordinary ability in the establishment concerned to earn at least 25 per cent. over her time rate, except in the case of an establishment where an application that this provision should be dispensed with, either generally, or, as regards any particular class of workpeople, has been approved by the Minister of Munitions. Subject to compliance with the foregoing provisions of this paragraph, the earnings of women and girls for work done by them in any establishment at the date of this Order on premium bonus system shall in that establishment be calculated on the basis of the following time rates :—

					<i>Per Hour.</i>
Workers,	18 years and over	..	..	..	$4\frac{3}{4}d.$
"	17 " " under 18	..	..	..	$3\frac{3}{4}d.$
"	16 " " 17	..	..	..	$3d.$
"	15 " " 16	..	..	..	$2\frac{1}{2}d.$
"	under 15 years	..	..	..	$2d.$

PART III.—WOODWORK PROCESSES OTHER THAN FOR AIRCRAFT

Time-Workers

14. Women and girls shall, for the first eight weeks, be paid as follows:—

	<i>Per Hour.</i>
Women, 18 years and over	5d.
Girls, 17 „ „ under 18	4d.
„ 16 „ „ „ 17	3d.
„ 15 „ „ „ 16	2½d.
„ under 15 years	2d.

15. Women and girls shall, after eight weeks, be paid as follows:—

	<i>Per Hour.</i>
Women, 18 years and over	6d.
Girls, 17 „ „ under 18	5d.
„ 16 „ „ „ 17	4d.
„ 15 „ „ „ 16	3½d.
„ under 15 years	3d.

16. Women and girls employed on machine woodwork processes shall, subject to the provisions of paragraphs 14, 15 and 31, be paid according to the nature of the work and their ability.

17. No girl under 18 years shall be employed on any machine process without the sanction of the Minister of Munitions.

Workers on Systems of Payment by Results

18. Piecework prices and premium bonus time allowances shall be such as to enable every woman or girl of ordinary ability in the establishment concerned to earn at least 25 per cent. over her time rate.

Provided that women or girls employed on piecework or premium bonus system on work which in the establishment concerned was previously done by men on piecework or premium bonus system shall be paid according to the provisions of paragraphs 5, 6, 7, 8, and 9.

PART IV.—AIRCRAFT

A. Woodwork Processes

Time-Workers

19. Women and girls employed on woodwork processes for aircraft, other than machine processes, shall be paid according to the provisions of paras. 14 and 15.

20. Women employed on machine woodwork processes for aircraft shall be paid as follows:—

	<i>Per Hour.</i>
For the first four weeks of such employment	5½d.
For the second four weeks of such employment	6½d.
On completion of eight weeks of such employment	7½d.

21. Women and girls employed as inspectors and gaugers on woodwork for aircraft shall, after eight weeks, be paid at the rate of $\frac{1}{2}d.$ per hour more than the rates mentioned in paragraph 15 hereof.

22. No girl under 18 years shall be employed on any machine process without the sanction of the Minister of Munitions.

23. Where the employment of girls under 18 on machine woodwork processes for aircraft has been sanctioned by the Minister of Munitions they shall be paid as follows, on commencement, and shall receive an increase of 1d. per hour after the first four weeks and an additional 1d. per hour on completion of 8 weeks of such employment :—

	<i>Per Hour.</i>
Girls, 17 years and under 18	4½d.
" 16 " " 17	3½d.
" 15 " " 16	3d.
" under 15 years	2½d.

Workers on Systems of Payment by Results

24. Piecework prices and premium bonus time allowances shall be such as to enable every woman or girl of ordinary ability in the establishment concerned to earn at least 25 per cent. over her time rate.

Subject to compliance with the foregoing provisions of this paragraph the earnings of women and girls for work done in any establishment at the date of this Order on premium bonus system shall, in that establishment, be calculated on the basis of the following time rates :—

	<i>Per Hour.</i>
Workers, 18 years and over	5½d.
" 17 " " under 18	4½d.
" 16 " " 17	3½d.
" 15 " " 16	3d.
" under 15 years	2½d.

Provided that women or girls employed on piecework or premium bonus system on work which in the establishment concerned was previously done by men on piecework or premium bonus system shall be paid according to the provisions of paragraphs 5, 6, 7, 8, and 9.

B. Sheet Metal Work for Aircraft

(i) Hand Processes

Time-Workers

25. Women employed wholly or mainly on hand processes in the beating of metal to shape from the plain sheet, except the processes specified in paragraph 26 (a) and (b), shall be paid according to the provisions of paragraph 3.

26. Women and girls employed on—

- (a) the making of straight folds (whether beaded or not), straight bends and straight flanges ;
- (b) the making of bends and flanges (if in one plane) on other than straight work ;
- (c) hand processes other than the beating of metal to shape from the plain sheet,

shall be paid as follows :—

	<i>Per Hour.</i>
Women 18 years and over	7d.
Girls 17 " " under 18	6d.
" 16 " " 17	5d.
" 15 " " 16	4½d.
" under 15 years	4d.

The rates prescribed by this paragraph shall be subject to an increase of $\frac{1}{2}d.$ per hour after four weeks' experience and to an additional $\frac{1}{2}d.$ per hour after eight weeks' experience.

Workers on Systems of Payment by Results

27. Women and girls shall be paid according to the provisions of paragraphs 5, 6, 7, 8, and 9.

(ii) *Machine Processes*

28. Women and girls employed as time-workers, or on systems of payment by results, on machine processes shall, subject to the provisions of paragraph 29, be paid according to the provisions of Part II of these directions.

C. General Aircraft Work

29. Women employed as time-workers on Aircraft work in any establishment wholly or mainly engaged in the manufacture or repair of Aircraft shall not in any case be paid a less rate than 6d. per hour after the first eight weeks.

PART V.—GENERAL PROVISIONS

30. The provisions of Parts I and II of these directions shall not apply to any of the work (other than General Aircraft Work) mentioned in Parts III and IV, except in so far as those provisions are specifically applied by Parts III and IV.

31. Where special circumstances exist, women and girls may be paid in excess of the rates prescribed in these directions. In particular, and without prejudice to the foregoing provisions, they shall be so paid when they are employed—

- (a) in danger zones,
- (b) on work injurious to health,
- (c) on specially laborious or responsible work, or
- (d) on work requiring special ability.

Rates of wages in excess of the respective rates prescribed in these directions shall not be put into operation for any class of workers without the previous sanction of the Minister of Munitions.

32. The same overtime, night-shift, Sunday and holiday allowances shall be paid to women and girls to whom Parts I, III, or IV (except paragraph 28) of these directions apply as are paid to men employed on work of the same class. For this purpose, the working week shall be the working week for women and girls in the establishment in question, but shall in no case be reckoned as less than 48 hours. Women and girls to whom Part II of these directions applies shall be paid—

- (a) in accordance with the custom of the establishment ;
 - (b) where no such custom exists, in accordance with the custom prevailing in similar establishments or trades in the district ;
 - (c) where there are no similar establishments or trades in the district, then in accordance with the rates and conditions prevailing in the nearest district in which the general industrial conditions are similar ;
 - (d) where (a), (b), and (c) cannot be applied, such allowances shall be paid at such rates and on such conditions as the Minister of Munitions may direct.
33. Where women or girls are prevented from working owing to break-

down, air raids or other causes beyond their control and no custom exists in the establishment as to payment in respect of time so lost in excess of what is hereby laid down they shall be paid for the time so lost at three-fourths of their time rate unless they are sent home.

34. Where women or girls are employed on systems of payment by results their time rates shall be guaranteed and paid irrespective of earnings. Debit balances shall not be carried forward from one week to another.

35. Women or girls shall not be put on systems of payment by results until sufficiently qualified. The period of qualification on shell work shall not exceed four weeks without the express sanction of the Minister of Munitions.

36. Piece-work prices and premium bonus time allowances shall be fixed by mutual agreement in accordance with these directions between the employer and the worker or workers who perform the work.

37. Piece-work prices and premium bonus time allowances, after they have been established, shall not be altered unless the means or method of manufacture are changed.

38. These directions shall not operate to prejudice the existing remuneration of any person or persons.

39. All wages and balances shall be paid to women and girls through the Office.

40. For the purpose of these directions, the term "woman" or "women" means a woman or women of the age of 18 years or over, and the term "man" or "men" means a man or men of the age of 18 years and over.

41. In addition to the amounts payable to women or girls under any of the foregoing directions there shall be paid over and above those amounts to all women and girls whilst employed on munitions work, whether working on time or on a system of payment by results, an advance which in the case of women of 18 years of age and over shall be 6s. per full ordinary week, and in the case of girls under 18 years of age 3s. per full ordinary week.

This advance is to be taken into account in the calculation of payment for overtime, night-shift, Sunday, and holiday work, but is not otherwise to apply to or affect time rates, premium bonus rates or piece-work prices, and is not to be taken into account as part of the time rates for the purpose of fixing new piece-work prices or premium bonus rates. This advance shall not apply in establishments where the payment of alternative war advances has been sanctioned by the Minister of Munitions.

42. These directions shall come into operation in each establishment named in the second schedule hereto as from the beginning of the first full pay occurring after either the receipt of the Order by the establishment or the 1st day of June, 1918, whichever may be the later.

43. Compliance with these directions shall exempt the owner of an establishment named in the second schedule hereto and any contractor or sub-contractor employing labour therein from the obligation to comply with any previous Order of the Minister of Munitions regarding the wages of female workers employed in that establishment on munitions work.

44. Any question which arises as to the interpretation of these directions shall be determined by the Minister of Munitions.

Second Schedule

LIST OF ESTABLISHMENTS

D d

APPENDIX 22¹

STATUTORY RULES AND ORDERS, 1916, No. 621

MUNITIONS OF WAR

EMPLOYMENT AND REMUNERATION

THE MUNITIONS (EMPLOYMENT AND REMUNERATION OF WOMEN AND GIRLS ON WOOD-WORK FOR AIRCRAFT) ORDER, NO. 1, DATED SEPTEMBER 13, 1916, MADE BY THE MINISTER OF MUNITIONS, IN PURSUANCE OF SECTION 6 OF THE MUNITIONS OF WAR (AMENDMENT) ACT, 1916 (5 & 6 GEO. 5, c. 99)

WHEREAS Section 6 of the Munitions of War (Amendment) Act, 1916, provides as follows :—

6.—(1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of Section 7 of the principal Act as amended by this Act are for the time being applied by an order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

(2) Any directions given by the Minister of Munitions under this Section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I of the principal Act.

(3) No direction given under this Section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply with the provisions of the Factory and Workshops Acts, 1901 to 1911, or of any orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so, however, that no person be twice punished for the same offence.

And whereas the establishments named in the Second Schedule hereto are establishments of a class to which the provisions of Section 7 of the principal Act, as amended by the Munitions of War (Amendment) Act, 1916, are for the time being applied by an order made thereunder. Now, therefore, in pursuance of the above-mentioned powers, the Minister of Munitions hereby orders and directs that the directions contained in the First Schedule hereto regarding the wages of female workers employed on

¹ Reprinted by permission of the Controller of His Majesty's Stationery Office.

or in connection with munitions work shall take effect and be binding upon the owners of the establishments named in the Second Schedule hereto and any contractor or sub-contractor employing labour in any such establishment and the female workers to whom the directions relate as from October 2nd, 1916.

This Order may be cited as "The Munitions (Employment and Remuneration of Women and Girls on Wood-work for Aircraft) Order No. 1."

Dated this 13th day of September, 1916.

Signed on behalf of the Minister of Munitions,

H. LLEWELLYN SMITH,

General Secretary.

Ministry of Munitions of War,
6, Whitehall Gardens,
London, S.W.

First Schedule

DIRECTIONS RELATING TO THE EMPLOYMENT AND REMUNERATION OF WOMEN AND GIRLS ON OR IN CONNECTION WITH WOODWORK PROCESSES FOR AIRCRAFT

1. Women and girls employed on processes other than machine processes shall for the first 8 weeks of such employment be rated as follows:—

					<i>Per Hour.</i>
Women	18 years and over	..	..	..	4d.
Girls	17	„	under 18	..	3½d.
„	16	„	„	17	3d.
„	under 16 years	..	..	..	2½d.

2. Women and girls employed on processes other than machine processes shall, after such period of 8 weeks, be rated as follows:—

(a) Inspectors and Gaugers :—

					<i>Per Hour.</i>
Women	18 years and over	..	..	..	5½d.
Girls	17	„	under 18	..	5d.
„	16	„	„	17	4½d.
„	under 16 years	..	..	..	4d.

(b) Workers customarily on time work other than those referred to in paragraph (a) above :—

					<i>Per Hour.</i>
Women	18 years and over	..	..	..	5d.
Girls	17	„	under 18	..	4½d.
„	16	„	„	17	4d.
„	under 16 years	..	..	..	3½d.

(c) Workers employed on piece-work or premium bonus systems :

					<i>Per Hour.</i>
Women	18 years and over	..	..	..	4½d.
Girls	17	„	under 18	..	4d.
„	16	„	„	17	3½d.
„	under 16 years	..	..	..	3d.

3. Women of 18 years of age and over employed on machine processes shall be rated as follows :—

	<i>Per Hour.</i>
For the first 4 weeks of such employment ..	$4\frac{1}{2}d.$
For the second 4 weeks of such employment ..	$5\frac{1}{2}d.$
On completion of 8 weeks of such employment ..	$6\frac{1}{2}d.$

4. No girl under 18 years of age shall be employed on any machine process.

5. The appropriate time rate shall in the case of any woman or girl on piece-work or premium bonus systems be guaranteed and paid. Debit balances shall not be carried forward from one week to another.

6. Overtime allowances shall be paid to women and girls on the following basis, each day standing by itself :—

For the first two hours .. At the rate of time and a quarter.
Thereafter At the rate of time and a half.

7. Night-shift allowances shall be paid to women and girls on the basis of time and a quarter for all hours worked.

8. Sunday work allowances shall be paid to women and girls on the basis of double time between midnight on Saturday and midnight on Sunday.

9. Except in cases where they are sent home, women and girls on piece-work or premium bonus systems shall, between jobs, be booked on to and paid at their respective time rates, and women and girls who are prevented from working owing to breakdown, air raid, or other cause beyond their control shall be paid for the time so lost at the rate of three-fourths of their respective time rates. This provision, however, shall not apply in cases where machines are stopped in the usual course of operations for setting up, replacement or grinding of tools, or similar reasons.

10. Piece-work prices and premium bonus basis times shall be fixed by mutual agreement between the employer and the worker or workers who perform the work and shall be such as to enable a woman or girl of average ability to earn at least $33\frac{1}{2}$ per cent. over her time rate.

11. Piece-work prices and premium bonus basis times, after they have been established, shall not be altered unless the means or method of manufacture are changed.

12. All wages and balances shall be paid to women and girls through the office.

13. The above rates and conditions shall be recognised as war rates and conditions, and as due to and depending on the exceptional conditions resulting from the present war.

14. The foregoing rates and conditions shall not operate to prejudice the position of any person who has better terms and conditions, nor to prevent the recognition of special ability or responsibility.

15. Any question which arises as to the interpretation of these provisions shall be determined by the Minister of Munitions.

Second Schedule

LIST OF ESTABLISHMENTS

APPENDIX 23

WAGES (TEMPORARY REGULATION) ACT, 1918.

[8 & 9 GEO. 5. CH. 61.]

An Act for prescribing Minimum Rates of Wages during a limited period and for repealing certain provisions of the Munitions of War Acts. A.D. 1918.
[21st November 1918.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) During the period of six months from the passing of this Act, any person who employs in any trade or industry a workman of a class to which a prescribed rate of wages as defined by this Act is applicable shall pay wages to the workman at a rate not less than the prescribed rate applicable to workmen of that class, or such other rate as may be substituted for the prescribed rate by an award of the interim court of arbitration constituted as hereinafter mentioned, or as respects all or any of the workmen of that class by an agreement or settlement approved by the Minister of Labour, and if he fails to do so he shall be guilty of an offence under this Act and liable to a fine not exceeding five pounds for each day or part of a day during which the offence continues :

Obligation
to pay pre-
scribed rates
of wages for
six months.

Provided that such a person shall not be liable to be convicted of an offence under this Act if he proves that he did not know and that he could not with reasonable diligence have ascertained that the wages paid were less than the wages required under this section to be paid.

(2) An agreement for the payment of wages in contravention of this section or for abstaining to exercise any right of enforcing payment of wages in accordance with this section shall be void.

(3) The Minister of Labour may by order exclude from the provisions of this section any particular trade or industry or branch of a trade or industry or workmen of any class or description mentioned in the order, but save as aforesaid this section shall apply to all trades and industries.

2.—(1) For the purposes of this Act the Minister of Labour may constitute an interim court of arbitration, consisting of persons representing employers, and persons representing workmen, and of independent persons from whom the chairman of the court and of every division thereof shall be selected.

A.D. 1918.

(2) Any difference as to whether a workman is a workman of a class to which a prescribed rate of wages is applicable, or as to what is the prescribed rate of wages, or as to whether any rate should be substituted for the prescribed rate, or as to what is the substituted rate of wages, may be reported to the Minister of Labour by or on behalf of either of the parties to the difference, and the Minister shall thereupon consider the difference so reported and take any steps which seem to him expedient to promote a settlement of the difference, and where the Minister has failed to settle the difference by such steps as aforesaid he shall refer the matter for settlement to the interim court of arbitration, or, if in his opinion suitable means for settlement already exist in pursuance of an agreement made between employers and persons employed, for settlement in accordance with those means :

Provided that the Minister of Labour shall not refer for settlement in accordance with this section a difference as to whether any rate should be substituted for the prescribed rate unless he is satisfied that the report is made by or on behalf of a substantial proportion of the workmen to whom the prescribed rate in question is applicable, or by or on behalf of employers employing a substantial proportion of such workmen.

(3) Where an award determining or varying a rate has been so made by the interim court of arbitration, or an agreement or settlement for such purpose has been arrived at, the Minister of Labour may, on the advice of the interim court of arbitration, by order direct that the determination or variation effected by the award, agreement, or settlement shall be binding on all workmen to whom the prescribed rate in question is applicable and the employers of those workmen.

(4) The Minister of Labour may refer to the interim court of arbitration for advice any matter arising under this Act.

52 & 53 Vict.
c. 49

(5) The Arbitration Act, 1889, shall not apply to any reference under the provisions of this Act, but the Minister may make, or authorise the interim court of arbitration to make, rules regulating the procedure of that court, and those regulations may provide for the court sitting in two or more divisions, and for enabling questions as to the interpretation of any award to be settled without any fresh report or reference.

(6) Where before the passing of this Act any matter has been referred for settlement under the Munitions of War Acts, 1915 to 1917, and has not at that date been settled by the person or persons to whom it has been so referred, the Minister of Labour may by order transfer the matter to the interim court of arbitration, and where any such matter has been so transferred the award of that court shall have effect as if the matter had been referred to the court under the foregoing provisions of this section.

(7) There shall be paid out of moneys provided by Parliament to

any person being a member of the interim court of arbitration, and to A.D. 1918.
any officers required in connection with that court, such remuneration
and travelling or other expenses (including compensation for loss of
time) as the Minister of Labour, with the approval of the Treasury,
may determine, and there shall also be so paid any other expenses of
the court to such an amount as may be sanctioned by the Treasury :
Provided that the aggregate amount so expended shall not exceed
thirty thousand pounds.

3.—(1) Any officer appointed by the Minister of Labour shall have Powers of inquiry.
power to enter at all reasonable times the premises of any establish-
ment (other than a private dwelling-house not being a workshop) for
the purpose of ascertaining whether the provisions of this Act are
being observed as respects persons employed therein, and to make
such examination and inquiry as may be necessary for any such pur-
pose, and the owner of the establishment and any person engaged in
the management or direction of the establishment shall furnish to such
officer all such information, and shall produce for inspection all such
wages books and other similar documents as the officer may reasonably
require.

(2) If any person wilfully delays or obstructs an officer in the exercise of any powers under this Act or fails to give such information or produce such documents as aforesaid he shall be guilty of an offence under this Act and shall be liable to a fine not exceeding ten pounds.

(3) Every such officer shall be furnished with a certificate of his appointment and on applying for admission to any premises for the purposes of this section shall, if so required, produce his certificate.

4.—(1) For the purposes of this Act the prescribed rate of wages shall be as follows :— Definition of prescribed rate of wages.

(a) As respects a man or boy employed in any trade or industry or branch of a trade or industry in a district the prescribed rate shall be the recognised time rate or other basis for determining wages (with any allowances for overtime, night work, week-end or holidays when worked and additional war bonuses or war advances) generally applicable on the eleventh day of November nineteen hundred and eighteen to that class of workmen in that trade or industry or branch thereof in that district :

(b) As respects a person employed in the sea service the prescribed rate shall be the rate payable on the said date to persons of the class to which that person belongs :

(c) As respects a woman or girl employed in a trade or industry, or branch of a trade or industry, in a district on work of a class the wages paid for which by employers employing the majority of women or girls engaged on such work in

A.D. 1918

the trade or industry or branch thereof in the district were on the said date regulated by an order under the Munitions of War Acts, 1915 to 1917, or an award, the prescribed rate shall be the time rate or other basis for determining wages (with any allowances for overtime, night work, week-end or holidays when worked and additional war bonuses or war advances) payable under or in consequence of the said order or award :

- (d) As respects a woman or girl employed in a trade or industry or branch of a trade or industry in a district on work the wages paid for which were on the said date subject to an agreement between employers employing a majority of women or girls engaged on that work in the trade or industry or branch thereof in the district and one or more trade unions, the prescribed rate shall be the time rate or other basis for determining wages (with any allowances for overtime, night work, week-end or holidays when worked and additional war bonuses or war advances) payable under or in consequence of the agreement :
- (e) As respects a woman or girl to whom neither of the last two paragraphs applies, the prescribed rate shall be the time rate or other basis for determining wages (with any allowances for overtime, night work, week-end or holidays when worked and additional war bonuses or war advances) paid on the said date by employers employing a majority of women or girls engaged on the same class of work in the trade or industry or branch thereof in the district in which she is employed, unless some other rate is fixed by the Minister of Labour on the advice of the interim court of arbitration in which case the rate so fixed shall be the prescribed rate :

Provided that—

- (i) where a woman or girl is employed on work of a class which before the war was customarily done by men, the prescribed rate shall be the time rate or other basis for determining wages (with any allowances for overtime, night work, week-end or holidays when worked and additional war bonuses or war advances) payable to women and girls employed on such work on the said date ; and
- (ii) where arbitration proceedings have been commenced before the passing of this Act, and the rate which is the prescribed rate as hereinbefore defined is or has been altered by an award in those proceedings taking effect after the said eleventh day of November, the rate as so altered shall, as from the date when the award takes effect, be the prescribed rate.

5.—(1) Proceedings for offences under this Act shall be taken before munitions tribunals of the second class in like manner as for offences under the Munitions of War Acts, 1915 to 1917, and the provisions of those Acts relating to munitions tribunals and proceedings before them, including the provisions as to appeals, shall apply accordingly : A. D. 1918.

Provided that proceedings against an employer may be instituted by or on behalf of a trade union and any party to any such proceedings may appear by an officer of a trade union or federation of employers to which he belongs.

(2) In any proceedings under this Act for failure to pay wages as required by this Act the tribunal may, whether there is a conviction or not, order the employer to pay in addition to the fine (if any) such sum as appears to the tribunal to be due to the workman employed on account of wages, the wages being calculated at the prescribed or such substituted rate as aforesaid, and if in any such proceedings it appears to the tribunal that any question arises as to whether there is a prescribed or substituted rate applicable to the class to which the workman belongs or as to what is the prescribed or substituted rate for that class, the tribunal shall report the question to the Minister of Labour, who shall proceed thereon as if it were a difference reported to him by one of the parties to the difference.

6. Part I of the Munitions of War Act, 1915 (which relates to the settlement of labour differences and the prohibition of strikes and lock-outs), and subsection (2) of section four of the same Act, and sections six, seven, and eight of the Munitions of War (Amendment) Act, 1916, and sections one and five of the Munitions of War Act, 1917, are hereby repealed.

7. This Act may be cited as the Wages (Temporary Regulation) Act, 1918.

Legal
proceedings.

Repeal of
certain pro-
visions of the
Munitions of
War Acts.
5 & 6 Geo. 5.
c. 54.
5 & 6 Geo. 5.
c. 99.
7 & 8 Geo. 5.
c. 45.

Short title.

APPENDIX 24

RESTORATION OF PRE-WAR PRACTICES ACT, 1919.

[9 & 10 GEO. 5. CH. 42.]

An Act to make provision with respect to the restoration after the present war of certain trade practices, and to amend the law relating to munitions tribunals. A. D. 1919. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

A. D. 1919.

—
Restoration
of pre-war
practices.

1.—(1) Where, in any establishment to which this Act applies, any rule, practice or custom obtaining before the war in any industry or branch of an industry (hereinafter referred to as a trade practice) has, during and in consequence of the present war, been departed from, the owner of that establishment shall be under an obligation, at the expiration of two months from the passing of this Act, to restore or permit the restoration of the trade practice so previously obtaining, and for one year after such restoration is effected, or if it has been effected before the date of the passing of this Act for one year after that date, to maintain or permit the continuance of the trade practice.

(2) Where any industry or branch of industry, which before the war was not carried on in an establishment, commenced to be carried on in the establishment during the war and continues to be carried on therein after the termination thereof, or where the establishment is one which commenced to be worked after the beginning of war, the owner of the establishment shall be under the obligation, at the expiration of two months from the passing of this Act, to introduce or permit the introduction of, and for one year after such introduction is effected, or if it has been effected before the date of the passing of this Act for one year after that date, to maintain, or permit the continuance of, such trade practices as obtained before the war in other establishments where that industry or branch was carried on under circumstances most nearly analogous to those of the establishment in question.

(3) Save as expressly provided by this section, nothing in this section shall prejudice the position of employers or persons employed after the war.

Legal pro-
ceedings.

2.—(1) If any person fails to comply with an obligation imposed upon him by this Act, he shall be guilty of an offence under this Act, and on conviction shall be liable to a fine not exceeding twenty-five pounds for each day or part of a day during which the offence continues :

Provided that no person shall be entitled to institute proceedings against an owner of an establishment for failure to comply with any such obligation unless one week at least before instituting the proceedings he has served on the owner notice in the prescribed form of his intention to institute proceedings specifying the nature of the trade practice to which the obligation relates, and, if the change of practice was made in pursuance of an agreement, also specifying the agreement.

(2) Proceedings for offences under this Act shall be taken before munitions tribunals of the second class in like manner as for offences under the Munitions of War Acts, 1915 to 1917.

(3) Proceedings against an employer for an offence under this Act may be instituted by or on behalf of any worker affected or by or on behalf of a trade union or federation of trade unions, and any party to any such proceedings may appear and be represented by an official of

the trade union or federation of trade unions, or of the federation or association of employers, to which he belongs.

(4) If an agreement has been entered into providing for the modification of an obligation under this Act, to which the owner of an establishment is a party, or to which any group or association of employers of which the owner is a member is a party, it shall be a good defence in any proceedings against him in respect of an alleged breach of his obligation if he proves that the breach is authorised by the agreement, and that the trade union whose custom it was before the war to maintain the trade practice to be modified is a party to the agreement or is a member of a federation of trade unions who are parties thereto.

(5) Where, in the case of proceedings against the owner of an establishment for failure to comply with an obligation imposed by subsection (2) of section one of this Act, the tribunal is satisfied that a failure to comply with the obligation has occurred, but that it has occurred from a genuine and reasonable doubt as to the nature of the trade practice to which the obligation relates or otherwise as to the interpretation of the obligation, and not from any refusal or unwillingness to comply therewith, the tribunal may, instead of imposing any penalty, make an order declaring the true interpretation of such obligation in relation to the matter or matters complained of, and such an order shall be binding on the parties to the proceedings, and a copy thereof shall be registered at the Ministry of Labour.

3.—(1) Subject to the provisions of this section, the provisions of the Munitions of War Act, 1915 to 1917, relating to munitions tribunals, shall, notwithstanding anything in those Acts limiting the duration thereof, continue in force so long as may be necessary for the purposes of this Act.

Provisions
as to
munitions
tribunals.

(2) The powers of the Minister of Munitions in relation to munitions tribunals shall, as from the passing of this Act, be transferred to the Minister of Labour :

Provided that nothing in this provision shall affect any appointment, choice of assessors, or rules of procedure (including rules as to appeals) made before and in force at the passing of this Act; but anything which under the rules of procedure so in force is to or may be done by or to the Minister of Munitions shall or may be done by or to the Minister of Labour, and those rules shall have effect accordingly.

4.—(1) The establishments to which this Act applies are establishments in which munitions work within the meaning of the Munitions of War Acts, 1915 to 1917, has during the present war been carried on, and any other establishment in which the departure from the practice was made in consequence of the two agreements of the nineteenth and twenty-fifth days of March nineteen hundred and fifteen respectively, commonly known as the Treasury agreements, or in pursuance of any other agreement in writing.

Establish-
ments to
which Act
applies.

(2) This Act shall apply to Crown establishments, that is to say, establishments belonging to or under the control of His Majesty or any Government department, in like manner as it applies to establishments belonging to subjects, and any proceedings which under this Act can be taken by or against the owner of any establishment may be taken by or against the Crown establishment concerned in the name by which the establishment is usually known.

Regulations
by Minister
of Labour.

5. The Minister of Labour may make regulations prescribing anything which under this Act is to be prescribed, and as to the registration of orders which under this Act may be registered at the Ministry, the inspection of orders so registered, and generally for carrying this Act into effect.

Short title
and repeals.

6.—(1) This Act may be cited as the Restoration of Pre-War Practices Act, 1919.

(2) Subsection (3) of section four and paragraphs (1) and (2) of the 5 & 6 Geo. 5, Second Schedule to the Munitions of War Act, 1915, are hereby repealed.
c. 54.

APPENDIX 25¹

MINISTRY OF MUNITIONS

MEMORANDUM ON RECORDS FOR THE PURPOSES OF THE MUNITIONS OF WAR ACTS

1. A COPY of Circular L 65 issued by the Ministry of Munitions to controlled establishments appears in Appendix I hereto.

2. "Departures from practice" or "changes in working conditions," of which a record should be made, are departures or changes which result from dilution of labour, or which otherwise involve the relaxation of some established pre-war trade practice or working condition such as is covered by Section 4 (3) of the Munitions of War Act, 1915, and is referred to in paragraphs 1 and 2 of the Second Schedule to that Act.

3. Many difficult questions arise as to whether a particular change or course of action on the part of an owner of a controlled establishment does, in fact, constitute a "departure" or "change" within the meaning of paragraphs 1 and 2 of the Schedule.

It is not the function of the Ministry to decide such questions, and all records received are regarded as being true statements of facts, but without prejudice to the question whether the facts recorded constitute a "departure" or "change" from conditions which in accordance with the Schedule will require to be restored after the war.

Where any doubt exists, therefore, a record should be made which should contain, in the form of a note or otherwise, all the material facts and circumstances relating to the case.

¹ Reprinted by permission of the Controller of His Majesty's Stationery Office.

4. The question whether a record is required depends upon the pre-war practice of the particular establishment concerned. A record of facts should therefore be filed when a change is made from the pre-war practice of a particular establishment, notwithstanding that such change may have had the effect merely of bringing the practice of that particular establishment into line with the general practice of the district before the war.

No record is, however, required when an alleged "change," though possibly an exception to the general rule in the trade, is not, in fact, a change from the established custom of the particular establishment before the war *in respect of the same class of work* (e. g. the promotion of unskilled men to machines).

5. When the workshop or department, &c., has been started since the war or the job is new to the establishment and the work is carried on under different conditions, e. g. with different classes of labour, from those which would customarily have obtained before the war, a change in working conditions, for the purposes of records under the Munitions of War Acts, must be deemed to have taken place, and a record should be made. The record should clearly state the existing conditions, e. g. the class of labour employed, and state that the job or department, &c., is a new one, and that the establishment therefore had no previous practice. In cases of this character in which the owner of the establishment is unaware of the details of the normal pre-war conditions in the trade affected, it will happen in practice that it is necessary for his attention to be called to the matter by the Ministry of Munitions or a trade society before he is aware of the obligation to record.

6. The following are examples of cases in which records are required in regard to a change in the class of labour employed :—

- (a) The employment of women on work formerly done by men or boys, whether skilled, semi-skilled or unskilled.
- (b) The employment of unskilled men on work formerly done by semi-skilled men.
- (c) The employment of unskilled men on work formerly done by skilled men.
- (d) The employment of semi-skilled men on work formerly done by skilled men.
- (e) The employment of men in one trade on work formerly done by another trade.
- (f) The employment of one class of tradesmen in a trade on the work of another class in the same trade, such as (1) riveters doing platers' or caulkers' work, and (2) light platers doing sheet iron workers' work.
- (g) The mode of doing work as by splitting a skilled man's job into two parts, one of which continues to be done by a skilled man and the other is thereafter done by an unskilled man or woman.

7. It is clear, however, that changes which do not involve a departure from any established pre-war trade practice do not require to be recorded.

For example, it is unnecessary to record an alteration in regard to the working of overtime, unless the alteration involves the relaxation of some trade custom or trade union rule, nor does a change in the rate of wages require to be recorded (but a change in the system of wages, e. g. from time rates to piece rates or premium bonus, should be recorded, unless it is clear that no relaxation of a trade custom or trade union rule is involved or claimed).

The introduction of new machinery, or the alteration or improvement of existing machinery, is not in itself a departure which requires to be recorded, but if such introduction, &c., is accompanied by, e. g. a change in the class of labour employed on the job or the machine, or which would have been employed on the machine in ordinary circumstances, a record of the facts should be made.

8. In cases where a dispute exists, e. g. between two trades on a question of demarcation as to the class of labour which should be employed on a particular kind of work, a record of the facts should be made, stating the class of labour to whom the work was actually given and the fact that it is claimed by the other trade, the principle being that all such questions are in abeyance during the war, but that the *status quo ante bellum* should nevertheless be preserved so as not to prejudice the claims after the war of any party interested in the matter.

9. The object of the record is to provide reliable and accurate material for the purpose of deciding questions which may arise in relation to the restoration of pre-war conditions in the terms of the Schedule. Records should, therefore, not be limited to the changes made since the date of control (see Schedule II, paragraphs 1 and 2), but should cover all "departures" affecting labour which have been introduced during the war.

10. The record required is a record of the *nature* of the change. A record should show the introduction of a new class of labour on a job, but need not show each individual man up-graded or woman introduced. (In some cases, however, the new class of labour may, in fact, consist of a single individual.) The mere extension of a "change" previously introduced and recorded does not require a further record, provided that the extension is in all essential respects of the same nature as the original "change."

11. A copy of the official record form (M.M. 56) appears in Appendix II hereto.

The answer to question 2 should clearly indicate the class of work affected by reference, where necessary, to :—

- (1) (a) *the tool, machine or apparatus* used (if any), including the name of make and the size, where necessary, e. g. Herbert's No. 9 capstan lathe, or sheet metal seaming machine, or
- (b) *the job or operation*, if no machine is used, e. g. the erecting and assembling of motor bicycles ; and

(2) *the material or article wrought and the product of the machine or operation.*

The answer to questions 3 and 4 should show the conditions in which the work was previously performed in the establishment, and how it is performed as a result of the change.

The record should clearly indicate the trade affected by the change and the exact nature of the change. In cases of a change in the class of labour answer 3 should show the kind of workman employed upon the job *before* the change, with as much detail on the following points as may be practicable or necessary to identify the exact class of workman affected :—

- (a) His trade or occupation.
- (b) His degree of skill (e.g. fully skilled tradesman, semi-skilled, unskilled, apprentice, mate, handyman, &c.).
- (c) The wages (time work) at which he is paid or rated.

The answer to question 4 should show, with the same particulars, the kind of workman (or woman) employed upon the job *after* the change.

12. Examples of completed record forms are given in Appendix III hereto.

APPENDIX I

L 65.

Ministry of Munitions of War,
6, Whitehall Gardens,
London, S.W.

September, 1916.

GENTLEMEN,

I am directed by the Minister of Munitions to refer to the sixth paragraph of the Second Schedule of the Munitions of War Act, 1915, which provides as follows :—

“ A record of the nature of the departure from the conditions prevailing when the establishment became a controlled establishment shall be kept, and shall be open for inspection by the authorised representative of the Government.”

Considerable changes in working conditions are known to have been effected in controlled establishments both at the instance of the Ministry of Munitions and the Admiralty and also by employers on their own initiative. Records in respect of some of these changes have already been received by the Ministry of Munitions from a number of establishments where dilution of labour and other departures from normal practice have taken place. It is believed, however, that these records do not by any means cover the changes introduced in all establishments, nor are they necessarily complete as regards any particular establishment. Every employer is liable, under penalties, to make the full record required by the paragraph cited above from the Second Schedule, and the Minister will be bound to take steps to enforce these penalties in cases where the provisions of the schedule are disregarded.

As the most convenient way of giving effect to the Second Schedule, the Minister, in accordance with Section 11 of the Munitions of War Act, 1915, requires that copies of the records should be forwarded (in triplicate) to the Local Labour Officer, whose address is :—

Forms for the purpose are enclosed herewith.

One copy of each record should be retained for your own reference.

These records must cover every change of which a record has not already been sent in. I am, therefore, to suggest that you should review the changes which have taken place in your establishment and satisfy yourself that the records are complete, and, if necessary, prepare and forward supplementary records.

One copy will in due course be forwarded through this Department to the National Advisory Committee, without prejudice to any question which may subsequently arise thereon, but in order to ensure that the record as to the facts is an agreed one.

It must be clearly understood that this form is merely for the purposes of record under paragraph six of the Second Schedule after the change is made, and does not in any way supersede the necessity for carrying out the provisions of paragraph seven with regard to due notice before the change is made.

The object of the form is to provide reliable and accurate material for giving effect to the first paragraph of the Second Schedule, which provides that any departure during the war from existing practices shall only be for the period of the war. Records should, therefore, not be limited merely to the changes made since your establishment became controlled, but should cover all departures during the war from the practices previously ruling in your establishment or in the industry or industries carried on therein during the war.

In the case of future departures from practice the employer should make the record and follow the procedure described above.

This circular cancels Circular C. E. 2 on the same subject.

I am to ask that you should acknowledge the receipt of this circular.

I am,

Sir,

Your obedient Servant,

H. LLEWELLYN SMITH.

APPENDIX II

M.M. 56.

MUNITIONS OF WAR ACT, 1915

RECORD OF DEPARTURE FROM WORKING CONDITIONS UNDER
SCHEDULE II, PARAGRAPH 6

1. Name of Firm Address of workshop or yard and particular Department affected.	
2. Exact Nature of Work affected by departure. Stating (a) Machine (general description and pattern) or operation (if no machine is used) and (b) material wrought and product of machine or operation.	
3. How previously performed.*	
4. How now performed.* * State in answer to (3) and (4) the class of person employed, and the wages paid or other details making clear the nature of the change.	
5. Date from which departure took place	

Date..... *Signed*,,
on behalf of above-named Firm.

N.B.—A separate form should be used for each departure.

If further space is required to answer any of the above questions the back of this form may be used.

MINISTRY OF MUNITIONS OF WAR,
6, Whitehall Gardens,
London, S.W.

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OUTLINE OF PLAN
FOR THE
ECONOMIC AND SOCIAL HISTORY OF THE
WORLD WAR

I

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